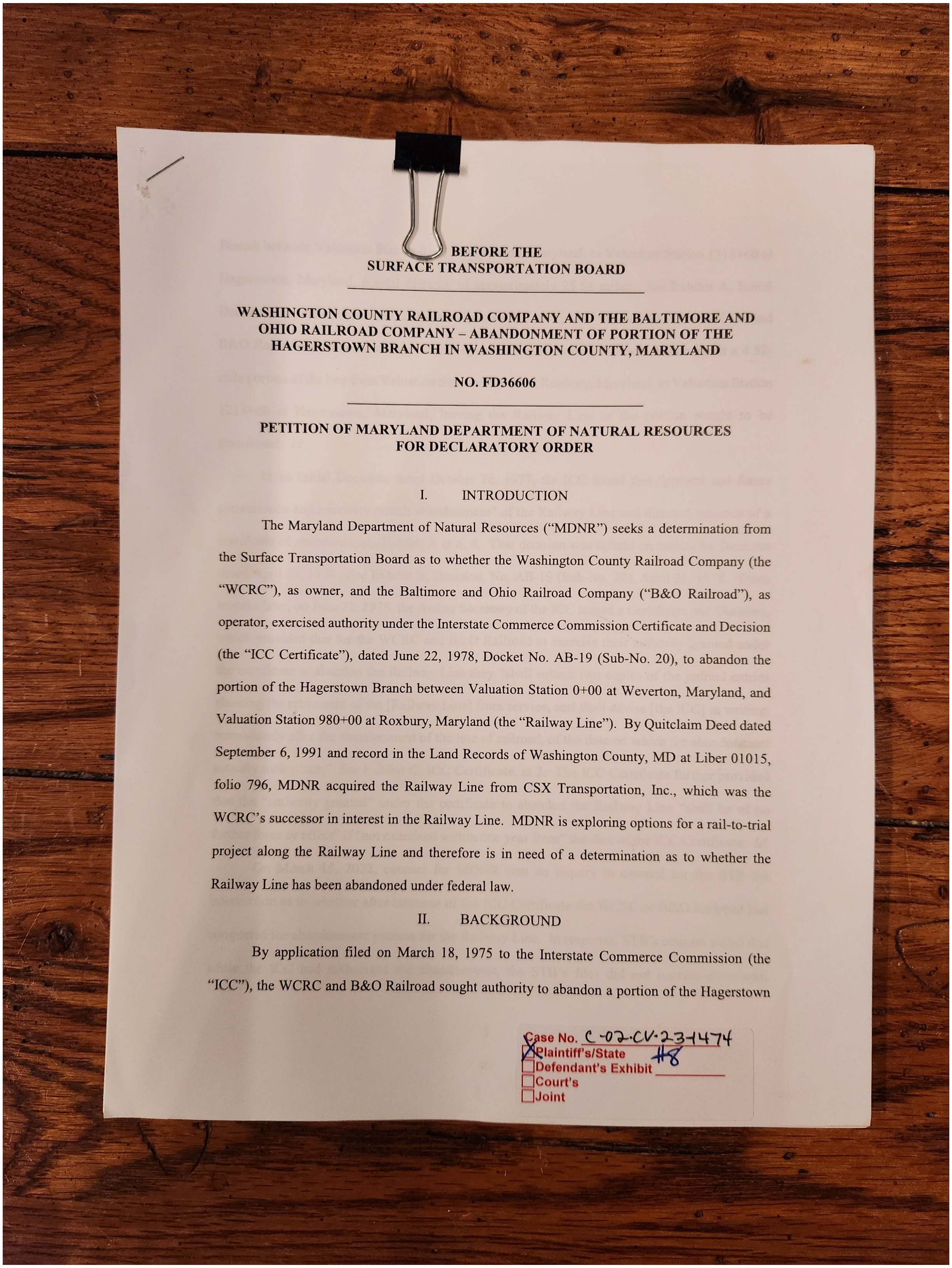
E-FILED
Rachel Dombrowski, Clerk
Appellate Court of Maryland
7/4/2024 5:17 PM



BEFORE THE
SURFACE TRANSPORTATION BOARD

WASHINGTON COUNTY RAILROAD COMPANY AND THE BALTIMORE AND OHIO RAILROAD COMPANY – ABANDONMENT OF PORTION OF THE HAGERSTOWN BRANCH IN WASHINGTON COUNTY, MARYLAND

NO. FD36606

PETITION OF MARYLAND DEPARTMENT OF NATURAL RESOURCES FOR DECLARATORY ORDER

I. INTRODUCTION

The Maryland Department of Natural Resources ("MDNR") seeks a determination from the Surface Transportation Board as to whether the Washington County Railroad Company (the "WCRC"), as owner, and the Baltimore and Ohio Railroad Company ("B&O Railroad"), as operator, exercised authority under the Interstate Commerce Commission Certificate and Decision (the "ICC Certificate"), dated June 22, 1978, Docket No. AB-19 (Sub-No. 20), to abandon the portion of the Hagerstown Branch between Valuation Station 0+00 at Weverton, Maryland, and Valuation Station 980+00 at Roxbury, Maryland (the "Railway Line"). By Quitclaim Deed dated September 6, 1991 and record in the Land Records of Washington County, MD at Liber 01015, folio 796, MDNR acquired the Railway Line from CSX Transportation, Inc., which was the WCRC's successor in interest in the Railway Line. MDNR is exploring options for a rail-to-trial project along the Railway Line and therefore is in need of a determination as to whether the Railway Line has been abandoned under federal law.

II. BACKGROUND

By application filed on March 18, 1975 to the Interstate Commerce Commission (the "ICC"), the WCRC and B&O Railroad sought authority to abandon a portion of the Hagerstown

Case No. C-02-CV-23-1474
☒ Plaintiff's/State
☐ Defendant's Exhibit #8
☐ Court's
☐ Joint

BEFORE THE
SURFACE TRANSPORTATION BOARD

WASHINGTON COUNTY RAILROAD COMPANY AND THE BALTIMORE AND OHIO RAILROAD COMPANY – ABANDONMENT OF PORTION OF THE HAGERSTOWN BRANCH IN WASHINGTON COUNTY, MARYLAND

NO. FD36606

PETITION OF MARYLAND DEPARTMENT OF NATURAL RESOURCES FOR DECLARATORY ORDER

I. INTRODUCTION

The Maryland Department of Natural Resources ("MDNR") seeks a determination from the Surface Transportation Board as to whether the Washington County Railroad Company (the "WCRC"), as owner, and the Baltimore and Ohio Railroad Company ("B&O Railroad"), as operator, exercised authority under the Interstate Commerce Commission Certificate and Decision (the "ICC Certificate"), dated June 22, 1978, Docket No. AB-19 (Sub-No. 20), to abandon the portion of the Hagerstown Branch between Valuation Station 0+00 at Weverton, Maryland, and Valuation Station 980+00 at Roxbury, Maryland (the "Railway Line"). By Quitclaim Deed dated September 6, 1991 and record in the Land Records of Washington County, MD at Liber 01015, folio 796, MDNR acquired the Railway Line from CSX Transportation, Inc., which was the WCRC's successor in interest in the Railway Line. MDNR is exploring options for a rail-to-trial project along the Railway Line and therefore is in need of a determination as to whether the Railway Line has been abandoned under federal law.

II. BACKGROUND

By application filed on March 18, 1975 to the Interstate Commerce Commission (the "ICC"), the WCRC and B&O Railroad sought authority to abandon a portion of the Hagerstown

Branch between Valuation Station 0+00 at Weverton, Maryland, to Valuation Station 1218+60 at Hagerstown, Maryland, a total distance of approximately 25.54 miles. *See* Exhibit A, Initial Decision, No. AB-19 (Sub-No. 20), dated October 26, 1977, at 1. On July 21, 1976, WCRC and B&O Railroad amended their application by removing from the proposed abandonment a 4.52-mile portion of the line from Valuation Station 980+00 at Roxbury, Maryland, to Valuation Station 1218+60 at Hagerstown, Maryland, leaving the Railway Line as the portion sought to be abandoned. *Id*.

In an Initial Decision, dated October 26, 1977, the ICC found that "present and future convenience and necessity permit abandonment" of the Railway Line and directed issuance of a certificate of abandonment. Exhibit A at 6, 8. That decision was upheld on review by Decision dated April 21, 1978. *See* Exhibit B, Decision, No. AB-19 (Sub-No. 20), April 21, 1978. Three months later, on June 22, 1978, the Acting Secretary of the ICC issued a Certificate and Decision, which provided that for the WCRC and B&O Railroad to exercise their authority granted under the certificate to abandon the Railway Line they "shall submit two copies of the journal entries showing the retirement of the [Railway Line] from service, and shall advise [the ICC] in writing, immediately after the abandonment of the line of railroad, of the date on which the abandonment actually took place." *See* Exhibit C, ICC Certificate, at 2. The ICC Certificate further provided that the "authority granted" under the certificate to abandon the Railway Line "shall be of no further force or effect" if "not exercised within one year from" the date of the ICC Certificate. *Id*.

On March 15, 2022, counsel for MDNR sent an inquiry to counsel for the STB for information as to whether after issuance of the ICC Certificate the WCSC or B&O Railroad had completed the abandonment process for the Railway Line. In response, STB's counsel stated that while the ICC had authorized the abandonment, the STB's files did not contain documents indicating that the WCSC or B&O Railroad had consummated the abandonment by completing all steps required by the ICC Certificate. The only documentation known to MDNR related to actions taken by either WCSC or B&O Railroad with respect to the abandonment after issuance of the ICC Certificate are: (1) a letter dated December 6, 1978 from Chessie System—believed to be a holding company that once owned B&O Railroad—advising that "the abandonment authority [under the ICC Certificate] was exercised at 12:01 AM, November 14, 1978," and noting that "journal entries" were forthcoming, *see* Exhibit D; and (2) a letter dated April 10, 1979 to Chessie System, not on letterhead, noting the submission by Chessie System of "the accounting for the authorized abandonment[] of the Hagerstown…branch[]" and stating that the "accounting is acceptable and our file on this matter will be closed." *See* Exhibit E. Counsel for STB suggested that these two letters are not a part of the STB's own file on the ICC Certificate.

From the documentation known to MDNR related to the abandonment of the Railway Line, MDNR, the current owner of the Railway Line, is unable to ascertain whether the WCSC and B&O Railroad exercised their authority to abandon the Railway Line by providing to the ICC journal entries and requisite notice, as called for in the ICC Certificate. MDNR requests a determination from the STB as to whether the Railway Line has been abandoned, so that it may consider railbanking under Section 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d), if available.

III. RELIEF SOUGHT

To resolve this matter, MDNR requests that the Board determine whether: (1) the Railway Line was legally abandoned through the timely filing by the WCSC and B&O Railroad of journal entries and written notice, as called for in the ICC Certificate; and (2) the Board continues to retain residual jurisdiction over the Railway Line such that MDNR may pursue railbanking under Section 8(d) of the National Trails System Act.

Dated: April 22, 2022

Respectfully Submitted,

Talley H-S. Kovacs
Assistant Attorney General
Office of the Attorney General
Maryland Department of Natural Resources
580 Taylor Ave., C-4
Annapolis, Maryland 21401
(410) 260-8351
talley.kovacs@maryland.gov

Attorney for the Maryland Department of Natural Resources

VERIFICATION

I, Talley H-S. Kovacs, verify under penalty of perjury that the statements made in this Petition of the Maryland Department of Natural Resources for Declaratory Order are true and accurate to the best of my knowledge, information, and belief. Furthermore, I certify that I am qualified and authorized to make such verification on behalf of the Maryland Department of Natural Resources.

Executed this 22nd day of April, 2022.

Talley H-S. Kovacs

Exhibit A

AB-19 Sub 20

. OH

[redacted] NOV 8 1977

INTERSTATE COMMERCE COMMISSION

SERVICE DATE
NOV - 8 1977

INITIAL DECISION

No. AB-19 (Sub No. 20)

WASHINGTON COUNTY RAILROAD COMPANY AND BALTIMORE AND OHIO RAILROAD COMPANY ABANDONMENT PORTION HAGERSTOWN BRANCH BETWEEN WEVERTON AND HAGERSTOWN, ALSO PORTION OF THE ANTIETAM BRANCH NEAR SECURITY, ALL IN WASHINGTON COUNTY, MARYLAND

FINANCE DOCKET NO. 28348

WESTERN MARYLAND RAILWAY COMPANY - LEASE AND OPERATE - WASHINGTON COUNTY RAILROAD COMPANY, SUBSIDIARY OF BALTIMORE AND OHIO RAILROAD COMPANY, IN WASHINGTON COUNTY, MARYLAND

In No. AB-19 (Sub No. 20), present and future public convenience and necessity found to permit the Washington County Railroad Company and The Baltimore and Ohio Railroad Company to abandon a portion of their Hagerstown Branch between Weverton, Md. and Roxbury, Md., and a portion of their Antietam Branch at or near Security, Md.; conditions prescribed.

In Finance Docket No. 28348, the lease and operation by Western Maryland Railway Company of portions of Washington County Railroad Company's Hagerstown and Antietam Branches found to be consistent with the public interest; conditions prescribed.

By David H. Allard, Administrative Law Judge:

Upon consideration of the record in the above-entitled proceedings, and:

It appearing, That, by application filed on March 18, 1975, the Washington County Railroad Company (Washington County), as owner, and The Baltimore and Ohio Railroad Company (B&O), as operator, jointly sought authority under section 1(18)-(20) of the Interstate Commerce Act (Act) to abandon a portion of their Hagerstown Branch between Valuation Station 0+00 at Weverton, Md. and Valuation Station 1218+60 at or near Hagerstown, Md., and a portion of their Antietam Branch between Valuation Stations 0+00 and 130+00 at or near Security, Md., a total distance of approximately 25.54 miles; that by petition to amend their application, filed July 21, 1976, applicants sought to eliminate 4.52 miles from the abandonment application between Valuation Stations 980+00 and 1250+94, thereby retaining service to the portion of the Hagerstown Branch between Hagerstown and Roxbury, Md.; and that, by application filed on November 24, 1976, under section 5(2) of the Act, the Western Maryland Railway Company (WM) sought authority to acquire by lease and operate a portion of Washington County's Hagerstown Branch, between Valuation Station 980+00 at or near Roxbury, Md. and Valuation Station 1250+94 at or near Hagerstown, Md., and a portion of Washington County's Security Branch, between Valuation Stations 130+00 and 194+21.3 near Security, Md.;

It further appearing, That the environmental effects of the proposed abandonment and lease applications were considered in a Commission prepared Threshold Assessment Survey, which was served on January 28, 1977; that this Survey concluded that the application did not constitute a major Federal action which would significantly affect the quality of the human environment within the meaning of the National Environmental Policy Act of 1969; that the Survey also found that the involved right-of-way, upon abandonment, would be suitable for public use and recommended the imposition of a condition which would afford interested persons the opportunity to acquire the line for such purpose; that the Survey also found that a bridge trestle of historic significance is located on the abandonment segment and, accordingly, certain conditions concerning disposal of this structure were also recommended in the Survey; that Comments on the Threshold Assessment Survey were filed by applicants herein and the Commission considered such Comments in an Addendum to the Survey, served May 10, 1977, which Addendum maintained the findings of the Survey;

It further appearing, That Notice of the proposed abandonment and lease applications and the environmental findings was accomplished in accordance with Commission regulations; that protests and other statements to the applications were filed; that the matters herein were referred to this Administrative Law Judge for hearings, which were conducted at Hagerstown, Md., on September 12 and 13, 1977; that, at the hearings, various public, union and shipper interests appeared; that the effect of the applications as sought, subject to the above-referenced amendment, would provide continued rail service to all B&O patrons by WM, save the Hagerstown Lumber Company, a protestant shipper located on the Antietam Branch; that, at the hearings, applicants offered a further amendment to the applications which would permit continued rail service to the Hagerstown Lumber Company by the WM under the WM lease and operation proposal;

It further appearing, That in support of their applications, B&O and WM presented substantial evidence which demonstrates the effects of these proposals from operating, traffic, engineering and financial bases; that, considered separately, their evidence shows as follows: first, operating: that the abandonment section of the Hagerstown Branch has been out of service since February 13, 1976, because of track conditions, and that no rail patrons have been adversely affected by this disruption; that traffic formerly moving overhead to the abandonment section has been handled economically and efficiently under rerouting, pursuant to Commission Service Order No. 154 and that, essentially, the same rerouting of such traffic would occur subsequent to approval of these applications; and that service to B&O patrons on the Hagerstown and Antietam Branches will continue at the same, if not better, level under the proposed WM lease; second, traffic: that over the years patrons once located on the abandonment sections have relocated, terminated operations, or no longer require rail service; that presently no shippers are protesting the abandonment of the subject portions of the Hagerstown and Antietam Branches; that the abandonment section of the Hagerstown Branch generated 2 cars in 1976 and the abandonment section of the Antietam Branch generated 21 cars in 1976, which latter traffic will be retained under the amendments; that adequate team track facilities and alternate transportation exist in the general area; and that no rates will be adversely affected for current rail patrons under the lease, except for cement traffic via B&O under a certain tariff, from Security, Md. to Southern Freight Association territory; third, engineering: that the Hagerstown abandonment section requires substantial rehabilitation in the amount of $1,030,802; that normalized maintenance on the Hagerstown and Antietam Branches would require average annual expenditures of $104,677; and that abandonment would result in the realization of net salvage of $396,405; and fourth, financial: that operation of the abandonment sections, including the portion necessary to serve Hagerstown Lumber Company, resulted in a net railway operating deficit of $90,111 and $51,417 for 1975 and 1976, respectively; that operation of the lease section by WM will result in a net railway operating income to it of $65,578 based on actual B&O revenues for 1976 from the lease segment; and that rerouting of the involved overhead traffic would have resulted in increased costs of $1,440 to the B&O, based on an actual reroute study of overhead traffic on the Hagerstown Branch in 1976;

It further appearing, That various parties appeared at the hearings and presented testimony and positions concerning the applications; that such parties represented public, union and shipper interests; that such public interests were as follows: first, the Maryland Department of Transportation, which was not opposed to the abandonment but sought preservation of the right-of-way for recreational purposes; second, the Maryland Department of Economic and Community Development, which withdrew its opposition to the abandonment; third, the Appalachian Trail Conference, which expressed its interest in acquiring the right-of-way on the Hagerstown abandonment section for hiking purposes; fourth, a representative of U. S. Congressman Goodloe Byron, who noted his opposition to the abandonment; fifth, Maryland State Senator Victor Cushwa, who expressed his opposition, arguing that the Hagerstown Branch abandonment section provides a good route for oversize loads and direct access to Washington, D. C., and that the abandonment section is necessary to attract new business to Washington County and to provide adequate service to existing shippers; and sixth, Mayor Jess D. Orndorff, of Brunswick, Md., who expressed his interest in retention of the line for future development as a commuter corridor and for movement of oversize loads;

It further appearing, that employee interests were represented by the United Transportation Union; that by its witness it expressed concern for the efficient handling of traffic moving overhead to the Hagerstown Branch subsequent to abandonment, as well as the usefulness of the Branch for oversize loads and as a detour route in emergency situations such as derailments on other lines of applicants; that the union further requested that should the abandonment be approved, the Commission impose herein appropriate labor protective conditions;

It further appearing, That Hagerstown Lumber Company, located on the Antietam Branch, offered testimony in opposition to the abandonment; that its testimony demonstrated the adverse financial effect which the abandonment would have upon it; that such evidence has been considered, but in view of applicants' amendments which would result in continued service to this shipper under the WM lease proposal and this shipper's withdrawal of its opposition, no detailed statement of the evidence offered by this shipper is necessary; that Conservit, Inc., Arnold Graphics Industries, Inc. and Industrial Merchants Storage Company, shippers located on the lease portion of the Hagerstown Branch also appeared at hearing; and that in view of applicants' amendments, and the withdrawal of these shippers' objections to the abandonment, a detailed statement of their testimony and positions is similarly unnecessary;

It further appearing, That the only shipper which maintained opposition to the applications was the Marquette Cement Manufacturing Company (Marquette); that this shipper is located in Hagerstown, Md., with its railhead at Security, Md., and presently receives service from the B&O and WM and is open to reciprocal switching by the Norfolk and Western Railway Company (N&W); that this shipper expressed concern for the effect of the abandonment on car supply, service and rates; that, by its testimony, this shipper indicated that its primary objection was a rate matter rather than an abandonment matter; that the stated rate difficulty involves the application of a specific tariff on cement to southern points, to which tariff the B&O is a party and the WM is not; that the N&W is a party to the subject tariff and this shipper could enjoy this tariff under the reciprocal switching agreement between N&W and WM for traffic at Hagerstown, Md.;

It further appearing, That, in rebuttal to the concern expressed by Marquette, applicants presented testimony by their manager of pricing, whose jurisdiction includes cement rates on B&O and WM; that he stated that the specific tariff, which concerns Marquette, is proposed to be cancelled and hearings have been conducted by the General Freight Traffic Committee at which Marquette offered testimony substantially the same as that contained in these proceedings; that, should the applications herein be approved, the subject tariff would remain in force and be available to Marquette via N&W until such time as the tariff may be cancelled; that Marquette had not shipped from Hagerstown via B&O under the subject tariff until several months prior to the hearing;and that other Maryland mills, which do not have the subject tariff available to them, have shipped to southern destinations in competition with Marquette, under higher rates;

It further appearing, That the evidence of record adduced in these proceedings demonstrates that the amended abandonment and lease applications will not result in the loss of rail service to any concerned B&O

patron; that such B&O patrons located on the Hagerstown and Antietam Branches will receive adequate, and perhaps better, service by WM under the lease proposal; that traffic formerly moving overhead to the Hagerstown Branch will be handled under reroute in a more efficient and economic manner; that, by the abandonment, B&O will avoid the continued occurrence of losses which it has suffered by provision of service on the abandonment section and WM will enjoy profitable operations by the proposed lease; that the Hagerstown abandonment section is in need of substantial rehabilitation, in the amount demonstrated by applicants, which would be necessary should operations be resumed thereover; that such rehabilitation and normalized maintenance thereafter would be an improvident and unnecessary expenditure of carrier resources, which is not required by any present or demonstrated future need for service to shippers on the abandonment section or for the movement of overhead traffic thereover; that the concerns expressed for retention of the Hagerstown Branch for oversize traffic are not supported by any evidence that any oversize loads will be generated which can be transported only over this Branch; that, by contrast, applicants and union protestant have shown that other routes are available for the movement of oversize loads and detour movements; and that the evidence produced at hearing and the findings contained in the Threshold Assessment Survey demonstrate that no definite plans exist for either rail-oriented industrial growth or the development of commuter rail service, which would necessitate the retention of the subject lines;

It further appearing, That the opposition of Marquette herein is primarily concerned with the application of a certain tariff on movements of cement to southern destinations; that service to Marquette will not be adversely affected by approval of these applications in that Marquette will continue to receive rail service by WM and be open to reciprocal switching with N&W; that the rates under the subject tariff will be available to Marquette via N&W until such time as the rates may be cancelled pursuant to appropriate authority; that other tariffs also exist for movement of the involved commodities by WM; that Marquette will have an opportunity to represent its interest on the rate matter in an appropriate proceeding; and, as presented herein, such rate matters are not capable of resolution in these proceedings and do not warrant the denial of the applications herein or the imposition of restrictions upon the abandonment or lease authority;

It further appearing, That this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969; that the record herein, including the findings of the Threshold Assessment Survey and the testimony offered at hearing by public interests, warrants the imposition of the public use and preservation conditions recommended in the Survey;

It further appearing and it is hereby found, That the public convenience and necessity permit the abandonment of the subject lines of railroad, as specified below; that the lease transaction, subject to its modification to permit rail service by the Western Maryland Railway Company over the Antietam Branch of the Washington County Railroad Company between Valuation Stations 0+00 and 65+71, is a transaction within the scope of section 5(2) of the Interstate Commerce Act and is consistent with the public interest; and that the interests of carrier employees shall be protected by the imposition of conditions, as specified below; and

It is ordered, That the amendments to the application in Docket No. AB-19 (Sub No. 20) are granted; and that, subject to the employee protective conditions specified in Oregon Short Line R. Co.-Abandonment-Goshen, 354 I.C.C. 76 (1977), the present and future public convenience and necessity permit abandonment by the Washington County Railroad Company of the portion of its Hagerstown Branch between Valuation Station 0+00 at Weverton, Md. and Valuation Station 980+00 at or near Roxbury, Md., and the portion of its Security Branch between Valuation Stations 65+71 and 130+00 at or near Security, Md., and that the present and future public convenience and necessity permit the abandonment by The Baltimore and Ohio Railroad Company of operations over said lines of railroad.

It is further ordered, That in Finance Docket No. 28348, the application of the Western Maryland Railway Company to acquire by lease and operate the portion of the Washington County Railroad Company's Hagerstown Branch between Valuation Station 980+00 at or near Roxbury, Md. and Valuation Station 1250+94 at or near Hagerstown, Md., and its portion of the Antietam Branch between Valuation Stations 130+00 and 194+21.3 at or near Security, Md., be, and it is hereby, approved subject to the employee protective conditions imposed in Oklahoma Railway Co. Trustees Abandonment, 257 I.C.C. 177 (1944), as supplemented by the applicable provisions of section 405 of the Rail Passenger Service Act and also subject to the lease and operation by the Western Maryland Railway Company of the portion of Washington County Railroad Company's Antietam Branch between Valuation Stations 0+00 and 65+71, at or near Security, Md.

It is further ordered, That the following conditions to permit public use of the abandoned railroad right-of-way and to support preservation of the historic "Long Bridge" located thereon shall be imposed upon a certificate of abandonment to be issued herein:

1. Washington County Railroad Company and The Baltimore and Ohio Railroad Company shall not sell, lease, exchange, or otherwise dispose of the right-of-way underlying the track, all bridges, and all culverts on the line for a period of 120 days following issuance of the certificate unless said property has first been offered upon reasonable terms, to responsible persons interested in acquiring the property for public use.

2. In the event that a public or private organization interested in acquisition of the right-of-way does not come forward within the above-specified 120-day period, then applicants shall include in any contract for sale of the abandonment property the following:

(a) That the subsequent purchase of said property submit plans for future use of the property, including bridge structures, to the Commission and the Historic Preservation Council for review; and

(b) That in the event the bridge is eventually demolished, the subsequent purchaser will, prior to demolition, ensure that appropriate measures are taken to adequately record the structure according to standards prescribed by the Historic American Engineering Record.

It is further ordered, That in the event any person or government entity is considering an offer of financial assistance to enable the rail service involved to be continued, then such person or government entity should promptly give notice that it is considering such an offer by certified mail to carrier applicants and by first class mail to all parties of record and the Commission;

It is further ordered, That applicant railroads shall, within 10 days after receiving notice that an offer of financial assistance is being considered, make available to the party considering the offer of financial assistance the information described under the heading "Railroads Seeking Abandonment Authority," which appears in the attached Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases," served March 31, 1976, and published on that date in the Federal Register, 41 FR 13691 (hereinafter called the Procedures), and such information shall be made available in the manner described in the Procedures;

It is further ordered, That upon this order becoming administratively final, notice of the finding of public convenience and necessity made herein shall be published in the Federal Register pursuant to the requirements of section 1a (6)(a) of the Interstate Commerce Act, as amended;

It is further ordered, That, notwithstanding any notice that financial assistance is being considered that may have been given pursuant to the above ordering paragraph, any person or government entity desiring to offer financial assistance to enable the rail service involved to be continued shall, within 15 days of publication in the Federal Register of the above-described finding of public convenience and necessity, send notification of such offer by certified mail to applicant railroads and the Commission and by first class mail to all parties of record, and such notification shall include the terms and information described under the heading, "Persons Offering Rail Service Assistance," which appears in the Procedures;

It is further ordered, That if the Commission finds that a financially responsible person has offered financial assistance in accordance with the Procedures, the Commission shall postpone the issuance of a certificate of abandonment for such reasonable time, not to exceed 6 months, as is necessary to enable such person or government entity to enter into a binding agreement with the applicant railroads to provide financial assistance for continued rail service or to purchase the rail line;

It is further ordered, That when the Commission is informed of the execution of any financial assistance agreement or acquisition and operating agreement, the issuance of the certificate of abandonment shall be postponed for such period of time as such an agreement (including any extension or modifications) is in effect;

It is further ordered, That all correspondence to the Commission with respect to offers of financial assistance for the continued operations or acquisition of the subject line shall contain an appropriate reference to the suitable proceeding; and that on the lower left-hand corner of envelopes containing such correspondence the following notation shall be typed in boldface "AB-RSCP";

It is further ordered, That subject to the conditions set forth above, an appropriate certificate of abandonment shall be issued, and the applicants shall not effect any abandonment or discontinuance of service prior to the effective date of such certificate of abandonment.

And it is further ordered, That this order shall be effective 20 days from the date of service.

Dated at Washington, D. C., this 26th day of October, 1977.

David H. Allard

By the Commission, David H. Allard, Administrative Law Judge.

H. G. Homme, Jr.,
Acting Secretary

(SEAL)

Exhibit B

APR 2 8 1978

APR 2 8 1978

SERVICE DATE

APR 2 7 1978

DIV 2

INTERSTATE COMMERCE COMMISSION

DECISION

No. AB-19 (Sub-No. 20)

WASHINGTON COUNTY RAILROAD COMPANY AND BALTIMORE AND OHIO RAILROAD COMPANY-ABANDONMENT PORTION HAGERSTOWN BRANCH BETWEEN WEVERTON AND HAGERSTOWN, ALSO PORTION OF THE ANTIETAM BRANCH NEAR SECURITY, ALL IN WASHINGTON COUNTY, MARYLAND

Finance Docket No. 28348

WESTERN MARYLAND RAILWAY COMPANY--LEASE AND OPERATE--WASHINGTON COUNTY RAILROAD COMPANY, SUBSIDIARY OF BALTIMORE AND OHIO RAILROAD COMPANY, IN WASHINGTON COUNTY, MARYLAND

On March 18, 1975, the Washington County Railroad Company (Washington County), as owner, and the Baltimore and Ohio Railroad Company (B & O), as operator, jointly sought authority under section 1(18)-(20) of the Interstate Commerce Act to abandon a portion of the Hagerstown Branch between Weverton and Hagerstown, and a portion of the Antietam Branch between Security and Security Junction, a total distance of 25.5 miles in Washington County, MD. On July 21, 1976, applicants filed a petition for authority to amend the abandonment application to eliminate from abandonment that portion of the Hagerstown Branch between Hagerstown and a point near Roxbury, a distance of 4.52 miles.

On November 24, 1976, the Western Maryland Railway Company (WM) filed an application under section 5(2) of the act in which it sought authority to acquire by lease and operate a portion of Washington County's Hagerstown Branch between a point near Roxbury, MD, and a point near Hagerstown, MD, and a portion of Washington County's Security Branch between valuation stations 130+00 and 194+21.3 near Security, MD.

In an initial decision of October 26, 1977, in No. AB-19 (Sub-No. 20), the Administrative Law Judge approved abandonment by Washington County and the B & O of a portion of their Hagerstown Branch between Weverton and Roxbury, MD, and a portion of their Antietam Branch at or near Security, MD. In Finance Docket No. 28348, the Administrative Law Judge approved the lease and operation by Western Maryland Railway Company of portions of Washington County's Hagerstown and Antietam Branches.

The abandonment in No. AB-19 (Sub-No. 20) was approved "subject to the employee protective conditions specified in *Oregon Short Line R. Co.--Abandonment--Goshen*, 354 I.C.C. 76 (1977)..."

In approving Finance Docket No. 28348 the Administrative Law Judge prescribed "the employee protective conditions imposed in Oklahoma Railway Co. Trustees Abandonment, 257 I.C.C. 177 (1944), as supplemented by the applicable provisions of section 405 of the Rail Passenger Service Act..."

On November 14, 1977, the Brotherhood of Locomotive Engineers (BLE) filed a petition for administrative review. Applicants replied on December 2, 1977. BLE's petition was limited to the scope of the employee protective conditions imposed in the abandonment application, i.e. those contained in Oregon Short Line. BLE maintains that the Oregon Short Line conditions do not comply with the mandate of section 1a(4) of the Interstate Commerce Act, and that conditions more protective of employee interests should be imposed in this abandonment proceeding.

The Rail Revitalization and Regulatory Reform Act of 1976 (4R Act) indicated that consistent treatment of employee protection in abandonment proceedings would best be satisfied by the imposition, as a minimum, of the employee protective conditions enacted in and developed pursuant to section 405 of the Rail Passenger Service Act of 1970. It is our judgment that all abandonment applications pending as of November 1, 1976, are subject to the imposition of the labor protective conditions as discussed in Oregon Short Line. Accordingly, BLE's petition for review should be denied.

However, in Oregon Short Line, the Commission retained jurisdiction to provide all interested parties an opportunity to comment on the decision. BLE filed such comments. The Commission is now reviewing the matter to determine whether the conditions specified in Oregon Short Line or some other conditions provide the appropriate employee protection as required by Congress.

In the meantime, carriers may consummate abandonments during this period, but if they do so, the Commission will deem them to have no objection to the employee protective conditions specified in Oregon Short Line. If after reviewing the comments, the Commission determines that other labor protective conditions would be more appropriate, then in those proceedings not consummated we will by our retention of jurisdiction impose such other conditions.

It is ordered:

(1) The petition for administrative review filed by the Brotherhood of Locomotive Engineers is denied.

(2) The Administrative Law Judge's decision dated October 26, 1977, is affirmed. The Commission reserves the right to modify this order in accordance with any modifications made in Oregon Short Line. This decision will be effective on the date it is served.

Decided April 21, 197[illegible].

By the Commission, Division 2, acting as an Appellate Division, Commissioners Stafford, Murphy, and Clapp.

H. G. HOMME, JR.
Acting Secretary

(SEAL)

Exhibit C

JUN 2 2 1978

SERVICE DATE
JUN 22 1978

INTERSTATE COMMERCE COMMISSION

CERTIFICATE AND DECISION

Docket No. AB-19 (Sub-No. 20)

WASHINGTON COUNTY RAILROAD COMPANY AND THE BALTIMORE AND OHIO RAILROAD COMPANY ABANDONMENT PORTION HAGERSTOWN BRANCH BETWEEN WEVERTON AND HAGERSTOWN, ALSO PORTION OF THE ANTIETAM BRANCH NEAR SECURITY, ALL IN WASHINGTON COUNTY, MD

Decided June 19, 1978

I have considered the record in this proceeding, including the administratively final decision served April 27, 1978, in which the Commission, Division 2, acting as an Appellate Division, affirmed the decision of the Administrative Law Judge served November 8, 1977, which authorized the abandonment by the Washington County Railroad Company of the portion of its Hagerstown Branch between Valuation Station 0+00 at Weverton, MD, and Valuation Station 980+00 at or near Roxbury, MD, and the portion of its Security Branch between Valuation Stations 65+71 and 130+00 at or near Security, MD, and that the present and future public convenience and necessity permit the abandonment by The Baltimore and Ohio Railroad Company of operations over said lines of railroad. The decision served November 8, 1977, also provided that any person, including a government entity, would be given the opportunity to make an offer of financial assistance to the carrier applicant, within 15 days of the date of publication of the Commission's findings in the Federal Register, by filing with the Commission an offer containing the evidence specified in Procedures for Pending Rail Abandonment Cases, 41 Fed. Reg. 13691 (1976).

The notice of findings was published in the Federal Register on May 23, 1978. The time for the filing of offers of financial assistance has expired without a bona fide offer. In the absence of such an offer, an appropriate certificate and decision should be entered.

It is certified that the present and future public convenience and necessity permit abandonment of the above-described line, subject to the appropriate conditions for the protection of railway employees as specified in the prior decision and further that (1) Washington County Railroad Company and The Baltimore and Ohio Railroad Company shall not sell, lease, exchange, or otherwise dispose of the right-of-way underlying the track, all bridges, and all culverts on the line for a period of 120 days from the service date of this certificate and decision unless said property has first been offered upon reasonable terms, to responsible persons interested in acquiring the property for public use and (2) in the event that a public or private organization interested in acquisition of the right-of-way does not come forward within the above-specified 120 day period, then applicants shall include in any contract for sale of the abandonment property the following: (a) that the subsequent purchaser of said property submit plans for future use of the property, including bridge structures, to the Commission and the Historic Preservation Council for review; and (b) that in the event the bridge is eventually demolished, the subsequent purchaser will, prior to demolition, ensure that appropriate measures are taken to adequately record the structure according to standards prescribed by the Historic American Engineering Record.

It is ordered:

(1) This certificate and decision shall take effect and be in force on the date it is served. Tariffs applicable to the line permitted to be abandoned may be canceled upon not less than 10 days' notice to this Commission and to the general public by filing and posting in the manner prescribed by the Commission under Section 6 of the Interstate Commerce Act. When filing schedules cancelling tariffs applicable to said line, the applicants shall, in such schedules, refer to this certificate and decision by date and docket number.

(2) If the authority granted by this certificate and decision is exercised, applicants shall submit two copies of the journal entries showing the retirement of the line from service, and shall advise this Commission in writing, immediately after abandonment of the line of railroad, of the date on which the abandonment actually took place.

(3) If the authority granted in this certificate and decision is not exercised within one year from its effective date, it shall be of no further force and effect.

By the Commission, Robert J. Brooks, Director, Office of Proceedings.

NANCY L. WILSON
Acting Secretary

(SEAL)

Exhibit D

René J. Gunning
General Attorney
Law Department

Chessie System
2 North Charles Street
Baltimore, Maryland 21201
301 237 38[illegible]

FILE IN DOCKET

December 6, 1978
File MD-6

FILE IN DOCKET

Mr. H. G. Homme, Jr.
Acting Secretary
Interstate Commerce Commission
Constitution Avenue & 12th Street, N.W.
Washington, D.C. 20423

Re: Washington County Railroad Company and Baltimore and Ohio Railroad Company-Abandonment portion Hagerstown Branch between Weverton and Hagerstown, also portion of the Antietam Branch near Security, all in Washington County, Maryland - Docket No. AB-19 (Sub No. 20)

Dear Mr. Homme:

By certificate and decision dated June 19, 1978 (served June 22, 1978), the Commission authorized the captioned abandonment.

Please be advised that the abandonment authority was exercised at 12:01 AM, November 15, 1978.

Copies of the journal entries in this regard will be forwarded to the Commission in due course.

Very truly yours,

René J.

RJG:awc

INTERSTATE
COMMERCE COMMISSION
RECEIVED
DEC 10 1978
ADMINISTRATIVE SERVICES
MAIL UNIT

Exhibit E

APR 10 1979

ACAR/MJ

r. B. G. Lawler
ssistant Vice-President
& Comptroller
hessie System
North Charles Street
altimore, Maryland 21201

Dear Mr. Lawler:

Thank you for your letter of April 4, 1979, submitting the accounting for the authorized abandonments of the Hagerstown and Antietam branches that had been inadvertently omitted from your original submission to us of February 2, 1979.

The accounting is acceptable and our file on this matter will be closed.

Sincerely yours,

Aubrey H. Herndon, Jr.
Chief, Interpretations Branch

bc: Regional Auditor - Philadelphia
✓ Room 1221 for insertion in AB 19 (Sub. 20)

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*
Mark J. Belton, *Secretary*
Mark L. Hoffman, *Acting Deputy Secretary*

(date)

Leslie Sperling Cruz, Esq.
4046 Trego Road
Keedysville, Maryland 21756

Dear Ms Cruz,

Thank you for contacting my office regarding your title claim for a portion of the former Washington County branch of the CSX railway in Washington County (Weverton to Roxbury). As you are undoubtedly aware, the ownership issue along the old railroad right-of-way that was purchased from CSX by Maryland Department of Natural Resources (MDNR) in 1991, has always been a contentious issue.

The Trails Division at MDNR is currently working with Rails to Trails and researching the issue of rail abandonment as it applies to the old Weverton to Roxbury rail line, and as soon as we have completed our investigation we will share our findings with you.

We look forward to resolving this issue in a timely fashion and appreciate your patience in this regard.

Sincerely,

Mark J. Belton
Secretary

cc: The Honorable Andrew A. Serafini, Maryland Senate
The Honorable Neil C. Parrott, Maryland House of Delegates
The Honorable William J. Wivell, Maryland House of Delegates

Jim Brown
Manager of Trail Development
Rails-to-Trails Conservancy
jim@railstotrails.org
2121 Ward Court N.W. 5th Floor
Washington, D.C. 20037
phone: 202-974-5109
web: www.railstotrails.org I www.traillink.com

From: Steve Carr -DNR- [mailto:steve.carr@maryland.gov]
Sent: Monday, September 28, 2015 1:57 PM
To: Jim Brown
Cc: John F. Wilson
Subject: Re: Weverton to Roxbury

You are doing us a big favor because this issue continues to hang over the process like a sword. It would be great if we could definitively establish the abandonment status.

Cheers!

STEVE

On Mon, Sep 28, 2015 at 12:55 PM, Jim Brown <jim@railstotrails.org> wrote:
Hi Steve,

I'm just giving you a heads up that I'll head over to the Surface Transportation Board Library tomorrow morning to look into the Weverton Cliffs to Roxbury corridor. I'll be looking to see if there is a consummation of abandonment notice from 1978-1980. If the railroad didn't file one, then the corridor could potentially be rail banked. I'll let you know what I find out.

Thanks,
Jim

Jim Brown
Manager of Trail Development
Rails-to-Trails Conservancy
jim@railstotrails.org
2121 Ward Court N.W. 5th Floor
Washington, D.C. 20037
phone: 202-974-5109
web: www.railstotrails.org I www.traillink.com

Subject: RE: Civil War Rail Trail -- Property Ownership Disputes
From: "Chip Wood" <[redacted]>
Date: 4/30/2020, 6:04 PM
To: "'Dan Hudson -DNR-'" <dan.hudson@maryland.gov>
CC: <mshifler@foxassociatesinc.com>, "Andrew Eshleman" <aeshleman@washco-md.net>, "Hobbs, Scott" <SHobbs@washco-md.net>, <nita.settina@maryland.gov>

Hi Dan,

If John Wilson replied to me in the way you mention – I lost track of it. In any event, I have received a price from Fox & Associates, a Civil Engineer-Survey firm, of under $10,000. If DNR chooses to contract out this work, I would expect DNR to have the contract reviewed and approved by County engineering. The records are in the County Courthouse on West Washington Street, on the diagonal corner from the County office building. Records are available for free, on line, at mdlanmdrec.net or email to msahelp@mdsa.net.

Cheers, Chip Wood

From: Dan Hudson -DNR- [mailto:dan.hudson@maryland.gov]
Sent: Thursday, April 30, 2020 10:25 AM
To: Chip Wood
Subject: Re: Civil War Rail Trail -- Property Ownership Disputes

Mr Wood,

Apologies for the tardy reply. Regarding deed research. Actually prior to retiring Mr Wilson was able to work with DNR's legal staff to do an initial pass thru the deeds. Their findings were not as optimistic as yours with only a small handful of the individual parcels held fee-simple and most with no documentation at all. Your note implies copies of original records still being available - please share contact for the keeper of those records as that is not consistent with what I remember Mr Wilson's research turning up.

Regarding encroachments. While I'm not involved in the day-to-day, I'd say local staff would not agree with your assessment. They do manage the corridor, send letters to owners with encroachments, provide letters/permission regarding crossings for driveways + field access, etc. No doubt it could be more thorough but I think they would bristle to the notion that the State has abandoned this area.

Dan Hudson
Trail Manager
Maryland Park Service
Department of Natural Resources
580 Taylor Ave., E-3
Annapolis, Maryland 21401
dan.hudson@maryland.gov
(410) 260-8149 (O)
(443) 569-1477 (M)
Website | Facebook | Twitter

Click here to complete a three question customer experience survey.

On Thu, Apr 16, 2020 at 4:51 PM Chip Wood <[redacted]> wrote:

> Hi Dan,
>
> As an aid to my request for DNR to perform property ownership research – attached for your reference is a report I did based on my analysis of surveying work that the State had done in 1993.
>
> As you will see, both the County and DNR have been lax in their enforcement of codes and encroachments.
>
> If you have any questions, please ask.
>
> Cheers,
>
> Chip Wood, P.E., Consulting Environmental Engineer, Retired
> [redacted]
>
> [redacted]

MARYLAND

Sally Lowe -DNR- <sally.lowe@maryland.gov>

Re: Civil War Rail Trail Update for John Griffin

1 message

Griffin, John R <jgriffin@dnr.state.md.us> Tue, Aug 21, 2012 at 10:54 AM
To: "Carr, Steve" <SCarr@dnr.state.md.us>
Cc: "Bast, Cecilia" <CBAST@dnr.state.md.us>, "Saunders, Kristin M" <KSaunders@dnr.state.md.us>, "Wilson, John F." <JFWILSON@dnr.state.md.us>, "Ward, Lisa" <LWard@dnr.state.md.us>, "Gill, Joe" <JGill@dnr.state.md.us>, "Lowe, Sally" <slowe@dnr.state.md.us>, "Medoff, Roger" <RMedoff@dnr.state.md.us>

Thanks Steve and do you know why Sen Shank scheduled this call with me? Also think some of those on this email should meet with me a half hour before this call to discuss all this. Am I to assume that all of you are recommending that we litigate to resolve the ownership issues? Also, why did the county do a 180 flip on support then opposition to trail development? Property owner pressure? John

Sent from my iPad

On Aug 21, 2012, at 10:25 AM, "Carr, Steve" <SCarr@dnr.state.md.us> wrote:o

HaCeil,

Ith meHere is the Civil War Rail Trail report you requested I prepare for the Secretary in advance of his phone with Senator Shank on the 27th. Please let me know if you need anything else. And I will be attending the phone meeting to help answer any questions that may pop up.

Any word on the status of the Recreational Trails Program letter from John to Secretary to the Acting Secretary of Transportation? Please note that Mr. Mobley is ACTING.

Cheers!

STEVE

CIVIL WAR RAIL TRAIL TIMELINE & OVERVIEW

TIME LINE

1979 - CSX Railroad abandons the Weverton-Roxbury Rail Line. They pull up the tracks and take down 25 bridges.

1980 - DNR considers buying the rail line from CSX, but decides against doing so because of local concerns.

1989 - A DNR study included in a report to the General Assembly calls the rail line a "valuable land resource".

1990 - DNR engineers and surveyors conduct field inspections of the rail line.

10/91 - DNR purchases the rail line for $550,000, using the Rail Trail Fund (bond authorization) without consulting the local elected officials or residents.

3/93 - Local residents discover the state has purchased the rail line and there is much public outrage.

3/93 - The Valley Preservation Association forms to fight the "Bike Trail to the Prison".

4/93 - Several public meetings between DNR and angry elected officials and residents take place around the county.

4/12 - Washington County submits Bikeways Maryland grant request for $300,000 for the design design of Phase 1 of the Civil War Rail Trail from MD 68 to Keedysville. (approximately 4 miles).

5/11/12 - Secretary Griffin sends a letter to the Mayors of Hagerstown, Keedysville, and Washington County Commissioners stating, "While we are unable to commit any funding resources at this time, we are happy to help wherever possible."

6/5/12 - The Boonsboro Town Council vote to support the development of a proposed pedestrian and bicycle trail from Hagerstown's City Park to the Chesapeake & Ohio Canal National Historical Park in Weverton.

6/12 - Bikeways Maryland approves $100,000 for a feasibility study that would address issues such as ownership, access and viability of the Civil War Rail Trail.

7/9/12 - Washington County Commissioners vote unanimously to kill the Civil War Rail Trail. *No letter is ever sent to DNR informing the Secretary of their change in plans.

7/10/12 - The Herald Mail publishes a story about the death of the trail in which DNR states that DNR's position has been that the trail is a local initiative, that DNR owns the land it bought from CSX, and that anyone who wishes to contest the ownership should submit documentation and DNR attorneys will review.

[redacted]

[redacted]

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
12/8/2021 17 03 49	All records relating to Case # NRP-21-01502 involving Tri-State Zoological Park of Western Maryland, Inc.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
12/10/2021 10 54 59	My office represents Kiewit Infrastructure Co. ("Kiewit") in a personal injury lawsuit that was filed by [redacted] who claims she was hiking in Patapsco Valley State Park on May 19, 2018 when she slipped and fell on a "makeshift" wooden footbridge near the Patapsco riverbed area at River Road and Ridge Trail. This lawsuit was filed in Howard County Circuit Court, and is captioned as Jamie Williams v. State of Maryland, et al., and docketed under Case Number C-13-CV-21-340. Both the State of Maryland and Kiewit are named Defendants in the lawsuit. Under the Maryland Public Information Act, §§4–101 to 4–601 of the General Provisions Article of the Annotated Code of Maryland, I am requesting an opportunity to inspect or obtain copies of the following records that are in the possession of the Maryland Department of Natural Resources, or in the possession of any other Maryland State agency/department REQUEST NO. 1 Any and all documents, including timesheets, communications and/or progress reports, relative to any and all contractors on the Bloede Dam project, or any other project at Patapsco Valley State Park that was ongoing at any time from January 1, 2018 through May 31, 2018. REQUEST NO. 2 Any and all documents pertaining to the Bloede Dam project, or any other project at Patapsco Valley State Park that was ongoing at any time from January 1, 2018 through May 31, 2018, including, but not limited to, any incident reports, statements, investigations, witness statements, photographs, diagrams, drawings, correspondences, emails, facsimiles, or any other documents related to the Bloede Dam project. REQUEST NO. 3 Any and all project files for any work being done at Patapsco Valley State Park during any time from January 1, 2018 through May 31, 2018. REQUEST NO. 4 Any and all contracts between the State of Maryland and American Rivers, Inc. REQUEST NO. 5 Any and all contracts between the State of Maryland and Kiewit. REQUEST NO. 6 Any and all contracts between American Rivers, Inc. and Kiewit. REQUEST NO. 7 Any and all contracts or other documents identifying any contractor, entity or individuals doing work in Patapsco Valley State Park at any time from January 1, 2018 through May 31, 2018. REQUEST NO. 8 Any and all time sheets, and/or billing documents for any contractor, entity or individuals doing work in Patapsco Valley State Park at any time from January 1, 2018 through May 31, 2018. REQUEST NO. 9 Any and all documents pertaining to [redacted] claimed fall on May 19, 2018 at or near the area at River Road and Ridge Trail near the Patapsco Riverbed ("the occurrence"), including, but not limited to, any incident reports, statements, investigations, witness statements, photographs, diagrams, drawings, correspondences, emails, facsimiles, or any other documents related to the occurrence. REQUEST NO. 10 All documents, photographs, videos, objects, models, plats, diagrams or drawings in your possession or control that depict (a) the location and/or scene of the occurrence; and/or (b) any and all construction equipment, and/or planks of wood that were utilized or supplied in Patapsco Valley State Park for the design and removal of Bloede Dam. REQUEST NO. 11 All documents, correspondences, written or recorded statements, and notes of any witnesses concerning the Bloede Dam project, including any taken of Kiewit or any agent or employee thereof. REQUEST NO. 12 All communications, correspondences, written statements and recorded statements involving the State of Maryland and Kiewit Infrastructure Co. regarding the design and removal of Bloede Dam in Patapsco Valley State Park. REQUEST NO. 13 All communications, correspondences, written statements and recorded statements involving American Rivers, Inc. and Kiewit Infrastructure Co., regarding the design and removal of Bloede Dam in Patapsco Valley State Park. REQUEST NO. 14 Any and all reports received by you from persons who have investigated the cause and circumstances of [redacted] claimed fall. REQUEST NO. 15 Any and all inspection and/or investigation reports created as a result of an inspection and/or investigation of [redacted] claimed fall. REQUEST NO. 16 Any and all photographs, videos, reports, or notes taken or created as part of an inspection and/or investigation of [redacted] claimed fall. REQUEST NO. 17 Any and all documents identifying or describing any and all construction equipment, planks of wood, and/or any other physical evidence preserved from the area at River Road and Ridge Trail near the Patapsco Riverbed as a result of [redacted] claimed slip and fall. REQUEST NO. 18 Any and all documents, reports, records and photographs related to any prior inspection of any and all construction equipment, planks of wood and/or any other physical evidence preserved from the area at River Road and Ridge Trail near the Patapsco Riverbed as a result of Jamie Williams' claimed slip and fall. The information sought pursuant to this request is for the purpose of representing Kiewit in the above-referenced lawsuit, and is not sought for commercial use. Furthermore, we are willing to pay a reasonable fee for the costs associated with searching for, reproducing, and mailing the relevant documents, video footage and/or photographs. If these costs are expected to exceed $200.00, I would appreciate it if you could please contact me first to inform me of the expected fees. Pursuant to §4–203 of the General Provisions Article of the Annotated Code of Maryland, the Maryland Public Information Act states that If the custodian reasonably believes that it will take more than 10 working days to produce the public record, the custodian shall indicate in writing or by electronic mail within 10 working days after receipt of the request (i) the amount of time that the custodian anticipates it will take to produce the public record; (ii) an estimate of the range of fees that may be charged to comply with the request for public records; and (iii) the reason for the delay. See GP Art., §4–203(b)(2). Generally speaking though, Maryland's PIA requires that the custodian shall grant or deny the application no more than 30 days after receiving the application. See GP Art., §4–203(a). If you intend to deny any or all of this request, I would request that you please cite each specific exemption you feel justifies the refusal to release the information, pursuant to GP Art., §4–203(c), and notify me of the appeal procedures available under the law. Thank you for your consideration of this request. If you have any questions concerning this request, please feel free to contact me at your earliest convenience.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
12/13/2021 10 49 49	GoPro/video footage of the capsizing of S/V Mystery, a sailing log canoe, which occurred on July 13, 2018, at approximately 7 45 pm in the Chester/Corsica River in Maryland. The GoPro/video footage was provided to the Maryland DNR shortly after the incident.	[redacted]	[redacted]	[redacted]	[redacted]						
11/30/2021 13 22 12	2021-000-734-48	[redacted]	[redacted]	[redacted]	[redacted]						
12/21/2021 15 22 04	MDOT MTA Facility	[redacted]	[redacted]	[redacted]	[redacted]						
12/22/2021 11 49 34	This is a request under the Maryland Pub ic Information Act Title 4. I am requesting copies of hunting/fishing licenses, perm ts, and tags issued for the fo lowing (listed below) [redacted] I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
1/3/2022 22 31 09	Hunting/Fishing Licenses I am requesting copies of hunting/fishing icenses, permits, and tags issued for the fo lowing (listed below) [redacted] Fines, Warning Letters, Disciplinary Notices, and Enforcement Actions I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
1/5/2022 12 24 56	Please provide a copy of any Roadside Tree Project Permit issued from 1/1/2021 to the present date for the property or property Owner of [redacted]. If you have electronic format that would be great. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
1/10/2022 9 50 33	All documents, reports, and communications relevant, referencing or in relation to St. Mary's County, Maryland wastewater and waterways located near 16668 Piney Point Road on St. George Island between the dates of October 28, 2021, and the date of this request, provided by or transferred between, but not limited to St. Mary's Metropolitan Commission, St. Mary's County Department of Health, Maryland Department of Health, Maryland Department of Environment, Shore Thing Shellfish, LLC (US FDA Interstate Certified Shellfish Shippers Cert fication Number SS742), The US Food & Drug Administration, Board of St. Mary's County Commissioners Loudon County (VA) Health Department Potomac Farm Brewing – 18701 Foggy Bottom Rd., Bluemont, VA 20135 Vanish – 42245 Black Hops Ln., Leesburg, VA 20176	[redacted]	[redacted]	[redacted]	[redacted]						
1/11/2022 9 39 45	Dear Maryland Department of Natural Resources, Under the Maryland Public Information Act T tle 4, I am requesting to obtain information regarding the following record Name of RFP COMPASS V2 SYSTEM DEVELOPMENT TORFP RFP # TORFP K00P4400995 RFP Issue Date June 5, 2014 Here is more information on the RFP https //doit.maryland.gov/contracts/Documents/catsPlus_torfp_status/K00R4400349CompassAttach.pdf I am requesting copies of the following information from the record detailed above Contract Any Amendments Winning Proposal I ask that the information be provided electronica ly by email if poss ble. If there are any fees for searching or copying these records, please inform me before filing my request. Should you deny my request, or any part of the request, please state in writing the basis for the denial. Please confirm receipt of this request. Kind Regards, [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
1/25/2022 8 31 02	Any and all records related to applications for t tle, transfer of title, registration of, or any records related to 1996 40'3" Searay Express, Registration # [redacted] Hull # [redacted] Title # [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
1/14/2022 10 54 07	Police Report / Accident Report	[redacted]	[redacted]	[redacted]	[redacted]						
2/3/2022 13 08 22	All DNR Deep Creek Lake Management Records Permits, Applications, Drawings, Plats, etc. for the Lake Pointe at Wisp HOA in McHenry, MD.	[redacted]	[redacted]	[redacted]	[redacted]						
2/5/2022 11 37 32	Mgm casino footage of table game were I won jackpot and received no pay off	[redacted]	[redacted]	[redacted]	[redacted]						
2/7/2022 13 03 35	I request to inspect or obtain copies of data from Wildl fe Rehabilitation Annual Reports submitted yearly to the Maryland Department of Natural Resources by wild ife rehabilitators from the years 2016 to 2020, specifically regarding birds suffering collisions with buildings. If possible, please email to me all information related to entries with of bird-building co lisions, including, but not limited to, species names, dates received, dispositions (outcomes e.g., released to wild, euthanized, died) and dates thereof, and the county of the rehabilitator. The disclosure of the requested information is in the pub ic interest and will contr bute significantly to the public's understanding of the effect of rehabilitation on survival outcomes for bird-building collision victims. This information wi l be invaluable to better understanding important factors influencing bird conservation. This information is not being sought for commercial purposes.	[redacted]	[redacted]	[redacted]	[redacted]						
2/11/2022 10 39 08	Copies of all public records concerning the fire on December 21, 2021, at the Nabbs Creek Marina in Glen Burnie, Anne Arundel County, Maryland. This request includes, but is not limited to, any incident reports, email or written communications, recordings, photographs, videos, statements, taken e ther wr tten or orally, and any other documents or things relating to this incident.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Spelcal Notes	Completed
2/14/2022 15 38 56	Any and all records relevant to Fisheries Aquaculture Permit #2010-G-012, R&R Aquaculture, Including copy of current perm t, date of any inspections, copy of any inspection report, number/species of turtles in possession, number and origin of breeding stock, number of captive bred turtles traded, destination of traded turtles. Pls include any record that may address the following Is this operation currently perm tted by State to collect any turtle species for commercial purposes? If so how many? Are federal permits and inspection required.	[redacted]	[redacted]	[redacted]	[redacted]						
2/15/2022 14 02 58	Information/list of boats & vessels registered at [redacted] A good 20 year look back is needed. This information is supporting background for a permit with Anne Arundel County for the property and pier and boat house	[redacted]	[redacted]	[redacted]	[redacted]						
2/16/2022 14 32 48	All public records related to the property located at [redacted] formerly owned by [redacted] This would include, for example, all records related to the acquisition of this property by the state of Maryland as well as records related to the planning and design for the future use of this property	[redacted]	[redacted]	[redacted]	[redacted]						
2/17/2022 6 58 00	Licensed tree expert records (name, company, business address, ema l, business phone number, and any other app icable records for each). Please send as XLSX / other spreadsheet format [redacted] Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
2/17/2022 22 05 53	Harvest records for whitetail deer in Maryland from the years 1960-2021 if available. I am senior at UMBC majoring in Environmental Studies working on a mapping project showing whitetail harvest by MD county over a 50 year time period f I am able to find harvest data by county.	[redacted]	[redacted]	[redacted]	[redacted]						
2/21/2022 20 59 02	I [redacted] person of interest and the subject of record, hereby request under Maryland's Public Information Act the following records pertaining to me security clearance suitabil ty investigation records, facility access investigation records, public safety program records, public engagement program records, police and emergency personnel program records, investigation records, program records. Please include Department of Natural Resources funding being utilized in activities pertaining to me. I request expedited handling citing Constitutional and Due Process Rights violations. In addition to being a victim of crimes as a direct result of an illegal security clearance suitabil ty investigation, illegal enhanced background investigation, illegal associated programs, illegal public safety programs initiated on myself with no consent, no valid employment contract, no employer, no applicant, and no application by an unknown organization, facility, agency, contractor, potentially tied to a fraud and or attempted reimbursement January 1, 2016, to February 21, 2022.	[redacted]	[redacted]	[redacted]	[redacted]						
2/23/2022 11 00 59	Pursuant to the Maryland Pub ic Information Act Title 4, I respectfully request copies of the following listed tems below Hunting/Fishing Licenses I am requesting copies of all hunting/fishing icenses, permits, and tags issued for the fo lowing (listed below) [redacted] Fines, Warning Letters, Disciplinary Notices, and Enforcement Actions I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
2/23/2022 14 26 14	I am requesting copies of hunting/fishing licenses, perm ts, and tags issued for the fo lowing (listed below) [redacted] I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
2/25/2022 20 01 35	I am requesting camera footage of Foundation Schools, Largo Campus and surrounding areas from the hours of 0730-1000 24-25FEB2022	[redacted]	[redacted]	[redacted]	[redacted]						
3/1/2022 8 32 59	This is a request under the Maryland Pub ic Information Act. I am the business development manager for Gordon-Darby, Inc., and this request is made as part of information gathering on the state Fish & Game market segment and for our internal use. I request that a copy of the following documents (or documents containing the following information) be provided to me (electronic versions are preferred) 1.Copy of CATS+ TORFP # K00B5400144, COMPASS OPERATIONS & MAINTENANCE (O&M), issued on or about 4/29/2015 2.Copy of any subsequent COMPASS-related RFPs issued after the CATS+ TORFP # K00B5400144 so icitation. 3.Copy of all proposals submitted in response to CATS+ TORFP # K00B5400144 and any subsequent COMPASS-related RFPs. 4.Copy of all evaluation materials in response to proposals submitted in response to CATS+ TORFP # K00B5400144 and any subsequent COMPASS-related RFPs. 5.Copy of contract award materials in response to proposals submitted in response to CATS+ TORFP # K00B5400144 and any subsequent COMPASS-related RFPs. 6.Copy of any current contract and all amendments thereto related to DNR's COMPASS system and JMT Technology Group, Terra Technology Group (TTG) or other company. I am wil ing to pay fees for this request up to a maximum of $1,000.00. If you estimate that the fees will exceed this limit, please inform me first. Thank you for your consideration of this request. Sincerely, [redacted] Business Development Manager Gordon-Darby, Inc.	[redacted]	[redacted]	[redacted]	[redacted]						
3/1/2022 15 01 59	Requesting boating/Jet Ski complaints in Betterton Beach area from the last three years	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
3/1/2022 16 57 00	This is a request under the Maryland Public Information Act Title 4. I am requesting copies of hunting/fishing licenses, permits, and tags issued for the following (listed below) [redacted] I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) J J[redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
3/4/2022 16 24 13	Pursuant to the Maryland Public Information Act Title 4., I respectfully request copies of the following listed items below Hunting/Fishing Licenses I am requesting copies of all hunting/fishing licenses, permits, and tags issued for the following (listed below) [redacted] [redacted] (aka. T[redacted]) DOB [redacted] Fines, Warning Letters, Disciplinary Notices, and Enforcement Actions I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted] T[redacted] (aka. T[redacted]) DOB T[redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
3/6/2022 7 28 42	Annual Reports of lease holders of Bottom Leases (Aquaculture) w/in the St. Mary's River Sanctuary; years 2019, 2020 and 2021. Brown, Trossbach, et al.	[redacted]	[redacted]	[redacted]	[redacted]						
3/10/2022 21 45 11	Oaths or affirmations for judges/administrators [redacted] [redacted]; Surety bonds JOHN *****8956	[redacted]	[redacted]	[redacted]	[redacted]ma[redacted]						
3/11/2022 12 03 46	EnviroSure is conducting a Phase I ESA at 5020 Wabash Avenue in Baltimore. In that regar, we are requesting a search of all files pertaining to the property. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
3/14/2022 14 01 41	I request any list or index of permit or lease-type records between 1900 and 1965 referencing underground or submarine utility cables crossing Maryland's water bodies, including date, permittee name (company name), name of waterbody and location (latitude/longitude or similar). Please note I don't need the permit records themselves at this time, but a list or index with the above information would suffice. I saw online that the Maryland Department of Natural Resources issues environmental permits for such projects for waterways in its jurisdiction. (https //dnr.maryland.gov/Documents/Navigating-Broadband-Permitting-Process.pdf). Please call me if you'd like to chat through this request. I'm a[redacted] I'm seeking the information as part of newsgathering and reporting [redacted] infrastructure in or near water resources, and hope to contribute to furthering the public's knowledge. I ask that any fees related to this request be waived since the information will be used for public dissemination. Thank you, Shalini	[redacted]	[redacted]	[redacted]	[redacted]						
3/14/2022 14 51 09	Basement rental licenses for [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
3/18/2022 10 58 33	Validation of Rental Permit	[redacted]	[redacted]	[redacted]	[redacted]						
3/22/2022 17 37 42	We are performing a Phase I Environmental Site Assessment for the property located at 600 Sheridan Street in Hyattsville, MD 20783. Please provide any information related to environmental reports, releases/discharges, underground storage tanks, permits, etc., specifically any documents available in Site Remediation, Air, Hazardous Waste, Water Quality, and Right to know-Pollution prevention programs.	[redacted]	[redacted]	[redacted]	[redacted]						
3/24/2022 16 36 30	Please accept this MPIA request for copies, electronic if possible, of all records related to discipline connected to the sustained charges of unbecoming conduct and inaccurate report related to the following two administrative investigations YearIAU Case #Involved Officer [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
3/30/2022 11 32 46	Fire report done by [redacted]/14/2022	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
4/4/2022 10 15 34	Dear Public Record Officer, I am writing to formally request Maryland Department of the Environment and Maryland Department of Natural Resources' records under the Maryland Public Information Act (Md. Ann. Code art. GP, § 4-101). I am requesting the Maryland Coastal Zone Management Program's database of all coastal permit app ications including, but not limited to, any information on the permit type, the date of application, approval/denial status, date of approval/denial, conditionalities attached to approval, or the reason(s) for denial. Included in the request are the CSV f les that make up the underlying information in the database, The database schema that describes the relationship between the various elements of the database, and A codebook that describes the variables in the database. I am requesting a fee waiver. Pacific Legal Foundation is a 501(c)(3) that provides information to the public. The information will not be used for commercial purposes. I am wi ling to pay fees for this request up to $200. If you estimate that the fees will be greater, please inform me first. If the request will take longer than the time allowed by the law, please provide a date when you expect to be able to send the records. This request should be considered severable. If you deny any or all of this request, please cite each specific exemption for your refusal to release each piece of information and notify me of the appeal procedures available to me under the law. If you have any questions, please feel free to contact me at [redacted] or [redacted] Thank you, [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/4/2022 13 56 15	Surve llance footage, accident reports, recordings, etc. from Maryland State Police regarding our client [redacted], report number [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/4/2022 18 36 54	Can I please obtain compliance/tank information regarding the property located at [redacted] Thank you in advance for honoring this request.	[redacted]	[redacted]	[redacted]	[redacted]						
4/6/2022 11 06 25	Updated address for [redacted] date of birth [redacted] last known address was [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/7/2022 16 09 08	Hello. I respectfully request a copy of the winning bid in response to IFB K00R2600128, posted by the Maryland Natural Resources Police, announced April 6 or thereabouts. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
4/8/2022 0 37 32	Overages list or excess funds list	[redacted]	[redacted]	[redacted]	[redacted]						
4/8/2022 10 45 29	For [redacted] The original or copy of any documentary material in any form created or received by the department in connection with the transaction of public business, to include but not limited to •Wr tten materials •Books •Photographs •Photocopies •Films •Microfilm records •Tapes and audio files/records •Computerized records •Maps •Drawings •Text messages •Emails •All individual staff notes, records and working files •All telephone call records, notes and logs •All records pertaining to Maryland Department of the Environment, Waterway Construction Division •All deliberation notes and records of any description as defined herein related to decisions pertaining to the subject property •All notes and records of any description as defined herein related to the State Park system, especia ly the Deep Creek Lake Manager's office, and any other state office or individual involved with the subject property, etc. Please provide us w th notification if any of the above requested materials are withheld as we l as justification for taking this action.	[redacted]	[redacted]	[redacted]	[redacted]						
4/8/2022 11 31 32	I'm requesting all records associated with the property located at [redacted] [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/14/2022 13 16 37	Hunting/Fishing Licenses I am requesting copies of hunting/fishing licenses, permits, and tags issued for the fo lowing (listed below) [redacted] Fines, Warning Letters, Disciplinary Notices, and Enforcement Actions I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/14/2022 14 13 47	Certification of hunting records from DNR	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
4/17/2022 10 45 49	Second Request; previously submitted on March 1, 2022. This is a request under the Maryland Public Information Act. I am the business development manager for Gordon-Darby, Inc., and this request is made as part of information gathering on the state Fish & Game market segment and for our internal use. I request that a copy of the following documents (or documents containing the following information) be provided to me (electronic versions are preferred) 1.Copy of CATS+ TORFP # K00B5400144, COMPASS OPERATIONS & MAINTENANCE (O&M), issued on or about 4/29/2015 2.Copy of any subsequent COMPASS-related RFPs issued after the CATS+ TORFP # K00B5400144 solicitation. 3.Copy of all proposals submitted in response to CATS+ TORFP # K00B5400144 and any subsequent COMPASS-related RFPs. 4.Copy of all evaluation materials in response to proposals submitted in response to CATS+ TORFP # K00B5400144 and any subsequent COMPASS-related RFPs. 5.Copy of contract award materials in response to proposals submitted in response to CATS+ TORFP # K00B5400144 and any subsequent COMPASS-related RFPs. 6.Copy of any current contract and all amendments thereto related to DNR's COMPASS system and JMT Technology Group, Terra Technology Group (TTG) or other company. I am willing to pay fees for this request up to a maximum of $1,000.00. If you estimate that the fees will exceed this limit, please inform me first. Thank you for your consideration of this request. Sincerely, [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/18/2022 13 14 21	Hello I am interested in receiving the past five years of reports for violations involving with crab fishing recreational violations. I am interested in seeing how many citations were issues and the associated penalties.	[redacted]	[redacted]	[redacted]	[redacted]						
4/18/2022 15 50 12	Historic Whitetail Deer population estimates by county	[redacted]	[redacted]	[redacted]	[redacted]						
4/18/2022 17 28 58	Bacteria Reports for Back River Wastewater Treatment Plant from January 2022 to April 2022	[redacted]	[redacted]	[redacted]	[redacted]						
4/19/2022 21 42 55	Any documents related to camp woodbrook located at 6700-6798 Watersville Rd, Mt Airy, MD 21771.	[redacted]	[redacted]	[redacted]	[redacted]						
4/21/2022 13 32 22	This request concerns the Otter Point Creek in Harford County. It also concerns the Chesapeake Bay National Estuarine Research Reserve – Maryland Final Management Plan 2008-2012 and the Otter Point Creek Component Memoranda of Understanding and Conservation Easements. There is a link to these documents at https //dnr.maryland.gov/waters/cbnerr/Pages/managementplan2008.aspx My clients seek the opportunity to review all documents related to the Otter Point Creek Reserve in Harford County. My clients seek the opportunity to review all documents related to the Chesapeake Bay National Estuarine Research Reserve – Maryland Final Management Plan 2008-2012, and the Otter Point Creek Component Memoranda of Understanding and Conservation Easements. This request includes, but is not limited to, the following •all documents related to the preparation and adoption of Otter Point Creek Component Memoranda of Understanding ("MOU") and Conservation Easements including, but not limited to ocorrespondence between the Department of Natural Resources and Harford County regarding the MOU; oany scientific studies related to the creation or execution of the MOU; and oany documents related to negotiations regarding the MOU. •all documents related to the preparation and adoption of Objective 1.3, and its associated strategies, of the Chesapeake Bay National Estuarine Research Reserve – Maryland Final Management Plan 2008-2012 including, but not limited to ocorrespondence between the Department of Natural Resources and Harford County regarding Objective 1.3; oany scientific studies related to the creation or execution of Objective 1.3; and oany documents related to negotiations regarding Objective 1.3. If the Department has any questions regarding this request please contact Alex Votaw at [redacted] or a [redacted] ext. 303	[redacted]	[redacted]	[redacted]	[redacted]						
4/25/2022 16 16 08	Details, minutes, and any records of a 4/18/2022 meeting between DNR employee [redacted] and representative(s) of Mid Atlantic Off Road Enthusiasts (MORE) and/or [redacted] Sustainability Manager of the City of Frederick, MD. Also, any emails to or from [redacted] from 4/17/2022 through 4/24/2022 pertaining to the Frederick Municipal Watershed/Municipal Forest/CWMA (or its nicknames), MORE, and/or trail closures. Also, any emails where [redacted] was the sender, the recipient or copied that had [redacted] as sender, recipient, or copied for the time period of 4/17/2022 through 4/24/2022.	[redacted]	[redacted]	[redacted]	[redacted]						
5/4/2022 15 57 26	Pricing on temporary staffing in Frederick County for school health nurses	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Spelcal Notes	Completed
5/4/2022 16 05 02	Please accept this request under the Maryland Public Information Act for copies, electronic if possible, of the following records and portions of the internal affairs case file 18-800016 All personnel orders resulting from the case, and... If the case file consists of fewer than 25 pages, please provide the entire file. Otherwise, - If the IA case file contains an index Please provide the index as well as the first 10 pages of the first tab, and the first 10 pages of the last tab. or - If the file does not contain an index Please provide the portions of the investigative report that summarize the investigation. If the investigative report consists of fewer than 20 pages, please provide the entire report. Please also provide portions of the file that include the investigation's findings and recommendations. If these portions run longer than 20 pages, please let me know so that I can consider narrowing the request. It is in the public's interest to understand how their law enforcement agencies are conforming to best practices, standards and Maryland law. As of Oct. 1, 2021, with the passage into effect of SB 178, records documenting reviews of potential officer misconduct are no longer personnel records under the law. In approving SB 178 after extensive pub ic discussion and debate, Maryland's legislature recognized that such records are of substantial interest to the public, because citizens have an interest in potential misconduct by those with powers of arrest and seizure, and because information about disciplinary proceedings allows citizens to assess the qua ity and integrity of police misconduct investigations. If documents are w thheld, please provide a brief description of the undisclosed records that will enable the Washington Post to assess the applicability of the legal author ty for the denial. If your agency exercises discretionary non-disclosure of information responsive to this request, please clearly articulate the reasoning behind the judgment that harm from disclosure would be greater than the public interest in providing access. I make this request in the course of newsgathering and believe the information requested will further the public's understanding of the workings of their government and therefore respectfully request any cost waivers that may be available. Thank you, Steve	[redacted]	[redacted]	[redacted]	[redacted]						
5/5/2022 20 50 25	I would like the total count of dead vultures and any other birds found dead in the highly pathogenic avian influenza, mass morality incident at Conowingo Dam/Cecil County in late Apr l/early May 2022.	[redacted]	[redacted]	[redacted]	[redacted]						
5/6/2022 21 27 52	Usgs quads for st marys state park, excluding the lake.	[redacted]	[redacted]	[redacted]	[redacted]						
5/10/2022 15 53 56	Please provide a copy of any and all MD DNR &/or Forest Service data, record(s), case (s), or reference number(s) associated with a "Tree Complain Form" received by MD DNR during April 2022 "Complaint Against E[redacted] Please provide a copy of any and all MD DNR &/or Forest Service correspondence received from, or, sent to [redacted] between April 22, 2022 and May 10, 2022.	[redacted]	[redacted]	[redacted]	[redacted]						
5/18/2022 14 24 05	I am requesting copies of any 9-1-1 audio recordings, transcripts, Call for Service records, reports, photographs, or other written, recorded, or electronic records that your agency may possess regarding the lawsuit of [redacted]v. Sunset Harbor Marina, Inc. (Circuit Court for Anne Arundel County Case No. C-02-CV-21-001685) relating to a boating incident for which I believe your agency has records and recordings for which I am requesting copies under the Maryland Public Information Act. My understanding from speaking w th one of your employees is that 9-1-1 calls made from Mr. [redacted]boat (a 2003 46' Cruisers Yacht) in the Chesapeake Bay on July 18, 2021 at approximately 11 03 a.m. were routed to your agency and recorded under Call for Service No. 2021-0048694. It is also my understanding that the call(s) may have been made by an individual named [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
5/19/2022 13 45 03	correspondence (including ema ls and texts) between[redacted]and/or his representatives with the Maryland Department of Environment regarding any unauthorized release of contaminants (including treated or untreated wastewater) from ut lities owned or operated by St. Mary's Metropolitan District.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Spelcal Notes	Completed
5/19/2022 16 36 05	Maryland Department of Natural Resources Eugene F. Deems, Jr. Maryland Public Information Act Request Manager Office of Communications 580 Taylor Avenue, D4 Annapolis, Maryland 21401 Email [redacted] Dear Sir or Madam, Pursuant to the Maryland Public Information Act Title 4, I respectfully request copies of the following listed items below Hunting/Fishing Licenses I am requesting copies of all hunting/fishing licenses, permits, and tags issued for the following (listed below) [redacted] Fines, Warning Letters, Disciplinary Notices, and Enforcement Actions I am requesting copies of fines, warning letters, disciplinary notices, and other enforcement actions placed against the following (listed below) [redacted] I authorize your office to accumulate up to $25 in fees in order to fulfill this request. If the cost of fulfilling this will exceed that amount, I request that you provide me with a written cost estimate for making these records available to me prior to incurring any costs. My preferred reproduction format is an electronic file e-mailed to my office at [redacted] If you have any questions concerning my request, please feel free to contact me by email. I am also reachable by fax at [redacted] or by phone at [redacted] If all or any part of this request is denied or redacted, please cite the specific exemption used to justify the redaction(s) or refusal to release the information and inform me of your agency's appeal procedures available to me under the law. Respectfully submitted, Mark Carr	[redacted]	[redacted]	[redacted]	[redacted]						
5/19/2022 17 28 43	Under the Maryland Public Information Act, I am requesting access to a copy of the current hunting and fishing electronic licensing systems contract for Maryland's Department of Natural Resources including but not limited to the incumbent third-party partner, the base length of the contract and its current duration, along with its period of performance and the contractual scope it provides. I would also like to know how many option years are available with the incumbent third-party partner under the current contract, the terms the contract provides, the current cost of the solution, and a copy of the Request for Proposal (RFP) that resulted in this contract. The purpose of this request is commercial.	[redacted]	[redacted]	[redacted]	[redacted]						
5/23/2022 16 33 13	Please provide copies of the last FIVE MD DNR &/or Forest Service "Tree Complain Forms" received by MD DNR &/or Forest Service. Please provide the data, record(s), case(s), or reference number(s) associated with the same last FIVE "Tree Complain Form" received by MD DNR. Thank you	[redacted]	[redacted]	[redacted]	[redacted]						
5/24/2022 12 33 49	Complaint filed by [redacted]against East Coast Tree Experts including any and all related claims. Investigation #2674	[redacted]	[redacted]	[redacted]	[redacted]						
5/25/2022 13 17 26	A copy of the Department of Natural Resources' long-term lease of real property at Assateague State Park to the Rackliffe House Trust. This request is on behalf of nonprofit organization to evaluate leasing of County-owed historic real property and is thus for the public benefit. We request a fee waiver as the request is in the best interest of the public.	[redacted]	[redacted]	[redacted]	[redacted]						
5/26/2022 13 08 10	Under the Maryland Public Information Act Title 4, I am requesting an opportunity to inspect or obtain copies of public records that outline the application, type of funding (i.e., restrictive), requirements to the funding, supervision, contracts, and any other public documentation for all funding awarded to Union Square Association (Baltimore City). If there are any fees for searching or copying these records, please inform me so that the fees are paid. The Maryland Public Information Act requires a response to this request within 30 days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.	[redacted]	[redacted]	[redacted]	[redacted]						
5/31/2022 14 05 16	Records pertaining to Sasquatch, AKA "Bigfoot"	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
6/1/2022 13 26 05	I represent Citizens who are part of the Protect Greater Perryville group. On behalf of this group, I am writing to make a Pub ic Information Act request to see documents related to the Furnace Bay Plant Non-Coal Surface Mining Permit (or License) for the Stancills Faci ity at 499 Mountain Hill Road, Perryv lle, Maryland 21903. The DNR Non-Coal Surface Mine Location Map identifies this location as the "Furnace Bay Plant" and provides the following number 77-SP-0090. I am requesting copies of all documents related to the Non-Coal Surface Mining perm t at 499 Mountain H ll Road including, but not limited to •The most recent version of the permit; •Any previous version of the permit; •Any amendments to the permit; •All written communications (including emails) from the owner of the Stancills Facility or its representative to the Maryland Department of the Environment ("MDE") regarding the Non-Coal Surface Mining Permit; •All written communications (including emails) from MDE to the owner of the Stancills Facil ty or its representatives") regarding the Non-Coal Surface Mining Permit; •All written materials submitted by the owner of the Stancills facility or its representatives in support of the permit; •All reports submitted by the owner or operator of the Stancills facility, or their representative, •All written documents regarding a reclamation plan applicable to 499 Mountain Hill Road; •All written documents regarding the project purpose and the need for the project; •All written documents regarding whether the adverse impacts are necessary and unavoidable; •All written documents regarding any proposed runoff m tigation; •Any internal memoranda drafted by MDE and/or distributed within MDE regarding the Non-Coal Surface Mining perm t for the facility at 499 Mountain Hill Road. I request the opportunity to inspect all documents relevant to this Public Information Act request. I also anticipate I will want copies of some or all of the records sought. Therefore, please advise me as to the cost, if any, for obtaining a copy of the records and the total cost, f any, for all the records described above. If you need any add tional information to locate these records, please let me know. Please also let me know when it is convenient for you to have me review the records. Thank you for your assistance in producing these documents.	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 21 46	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said permits	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 22 24	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said permits	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 23 04	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said permits	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 24 03	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 24 31	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 25 14	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 26 06	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 28 34	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 29 07	[redacted] BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 29 48	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/2/2022 11 30 27	[redacted] - BSUP files, including letters of eligibility, applications, application decisions, permits and any DNR conditions related to said perm ts	[redacted]	[redacted]	[redacted]	[redacted]						
6/7/2022 15 55 27	Copies of the Department of Natural Resources' long-term leases of real property 1) at Gunpowder Falls State Park to the Friends of Jerusalem Mill; and 2) at the Button Farm in Montgomery County to Menare Foundation. This request is on behalf of a nonprofit organization (Union Mills Homestead Foundation, Inc.) to evaluate leasing of County-owed historic real property and is thus for the public benef t. We request a fee waiver as the request is in the best interest of the public.	[redacted]	[redacted]	[redacted]	[redacted]						
6/8/2022 7 47 14	Requesting any and all records, notes, and reports related to a DNR police call to [redacted] on Apr l 25, 2022; to include information on the identity of the individual making the complaint and the nature of the complaint. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
6/9/2022 12 51 03	Casa Rio Marina, clean marinas program (4079 Cadel Creek Road, Mayo/Edgewater, MD)	[redacted]	[redacted]	[redacted]	[redacted]						
6/9/2022 16 43 08	The lease signed between the Washington Commanders and Prince George's County for use of the football stadium, now known as FedEx Field, starting in 1997	[redacted]	[redacted]	[redacted]	[redacted]						
6/14/2022 14 40 38	Under the Maryland Public Information Act, I am requesting access to a copy of the current parks/campground reservations contract for Maryland's Department of Natural Resources including but not limited to the incumbent third-party partner, the base length of the contract and its current duration, along with its period of performance and the contractual scope it provides. I would also like to know how many option years are ava lable with the incumbent third-party partner under the current contract, the terms the contract provides, the current cost of the solution, and a copy of the Request for Proposal (RFP) that resulted in this contract.	[redacted]	[redacted]	[redacted]	[redacted]						
6/20/2022 14 06 02	Prince George's County Public Schools budgets for all Early Childhood Centers.	[redacted]	[redacted]	[redacted]	[redacted]						
6/20/2022 14 08 40	Prince George's County Public Schools early childhood centers work orders for the last two years.	[redacted]	[redacted]	[redacted]	[redacted]						
6/20/2022 14 10 57	Prince George's County Public Schools, Board of Education, Ethics Committee violation report June 2021	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
6/21/2022 18 17 49	I am requesting the records of DNR's communication concerning the towing of a non-powered houseboat inhabitated by Charles Dabbs from the Ramsey lake area of Mayo (Cove Road) to the Brickhouse creek shoreline of South River Farms park off Selby Bay on Sunday April 24th, 2022. The boat was towed by a private sailboat, but with the knowledge of DNR the towing company had notified DNR of the scheduled tow to a local (Selby?) marina, but the tow company cancelled the tow when the marina refused access, so a private sailboat towed the boat to Brickhouse Creek. Since the boat had no obvious occupant, identifying numbers or information, I called DNR early Monday morning April 25th. NRP Officer Neville responded by police boat and I spoke with me on my dock. In the course of the next week, DNR , The Coast Guard, and AACO Parks and recreation responded, invesitgated and communicated about the situation. After two months, the houseboat boat is still arground against the SRF park shoreline, and questions surrounding the boat have still not been answered despite repeated and numerous requests to multiple agencies. Along with my neighbors, I am seeking to find out how the boat got from one place to another so we can facilitate a similar, but more appropriate location with less environmental impact to the wildlife and the fragile shoreline, as well as to help the boat owner (who is aboard the boat without lights, water, electriciry or plumbing...and a dog). Specifically I am requesting - the reports on the initial contact between DNR and the tow company the weekend of April 23 and 24, 2024. - official communication bewteen DNR and Charles Dabbs (in the days prior to the tow) -DNR communication with the sailboat boat owner who towed the houseboat boat -DNR response to the Coast Guard inquiry made on April 27, 2022 NRP officers Leavell, Neville, and Offenbacher are familiar with the issue. Also, Sgt. Collier has seen the emails and communications bewteen the concerned neighbors and the other agencies contacted. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
6/30/2022 11 21 02	[redacted] 911 Calls	[redacted]	[redacted]	[redacted]	[redacted]						
6/30/2022 14 15 08	An electronic copy of any/all documents related to boating under the influence', or BUI violations issued by the state of Maryland in 2016, 2017, 2018, 2019, 2020, 2021 and 2022 through June 30.	[redacted]	[redacted]	[redacted]	[redacted]						
7/5/2022 15 12 16	I am requesting copies, of incidents, emails, statements by citizens, officers notes, all complaints including verbal, written, electronic, and any other method. Results of any analysis of evidence, including a list of tests not completed. Names of investigating officers. Sound recordings of telephone calls or statements from citizens regarding the death of ducks, shootings, from May 20, 2022 to present in Ewell Maryland Smith Island to present.	[redacted]	[redacted]	[redacted]	[redacted]						
7/10/2022 11 34 13	Complaint/CAD record for loud noise complaint in Still Pond Cove on July 2, 2022 at approx. 7 30 pm. Specifically looking for boat owner/operator and registration information of boat creating loud/offensive music.	[redacted]	[redacted]	[redacted]	[redacted]						
7/11/2022 12 41 46	I am requesting an electronic spreadsheet (in CSV format) of hunting accidents in the state of Maryland since January 2012. This data should contain the date on which the accident occured, the location of where the accident occured, a brief description of the accident, a description of the victim, a description of the perpetrator or other persons involved (if applicable), and the weapon used. As a journalism student at Georgetown University, I request that any fees be waived. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. This information will be used solely for educational purposes.	[redacted]	[redacted]	[redacted]	[redacted]						
7/11/2022 15 15 33	An electronic copy of the citation narrative for 56 citations issued in 2022 for boating under the influence of alcohol and/or drugs. Thank you!	[redacted]	[redacted]	[redacted]	[redacted]						
7/11/2022 15 56 34	Northeastern Supply Rosedale Md Video and Phone records for May 2022	[redacted]	[redacted]	[redacted]	[redacted]						
7/11/2022 19 41 22	John Hopkins Emergency entry on May 2 beginning at 4pm	[redacted]	[redacted]	[redacted]	[redacted]						
7/11/2022 19 42 47	Autopsy For [redacted] DOB 09-11-95 Deceased May 2	[redacted]	[redacted]	[redacted]	[redacted]						
7/11/2022 20 30 12	Camera footage for 237 E patapsco 21225 for may 2 starting at 10am	[redacted]	[redacted]	[redacted]	[redacted]						
7/18/2022 15 11 01	MDE Records for 9400 Surratts Road, Cheltenham, MD	[redacted]	[redacted]	[redacted]	[redacted]						
7/18/2022 22 03 03	This is a second request. I am requesting as a person of interest, pro se, and for the purpose of due process. All records, notes, statements from citizens, complaints from citizens, both written and verbal, including audio copies of phone calls, and all results of tests concerning 2 ducks, shooting, and all other complaints about 2 dead ducks in Ewell Maryland on or after May 22, 2022 till present	[redacted]	[redacted]	[redacted]	[redacted]						
7/19/2022 15 00 31	Map or google earth pic showing the boundary of the Todd's Inheritance Historic Site lease located in North Point State Park, 21219.	[redacted]	[redacted]	[redacted]	[redacted]						
7/20/2022 21 58 52	Hello! I'm conducting a market study of the fishing and hunting licensing market, and I'm looking for the specific cost-structure contract for your current vendor. For example, the contract available here (from the winning bid of Nebraska's RFP) shows the price structure that the vendor will charge the state for hunting and fishing licensing https //das.nebraska.gov/materiel/purchasing/6506/RFP%206506%20Z1%20Terra%20Technology%20Group,%20File%202%20of%203%20cost%20proposal.pdf Thank you so much, and looking forward to hearing from you soon! Best, Eddie	[redacted]	[redacted]	[redacted]	[redacted]						
7/21/2022 13 16 12	Video Surveillance On Belair Air Rd and Mayfield Ave on May 2 starting at 3pm	[redacted]	[redacted]	[redacted]	[redacted]						
7/21/2022 13 17 44	Video Surveillance on Belair Rd and Erdman Ave on May 2 starting at 3pm	[redacted]	[redacted]	[redacted]	[redacted]						
7/22/2022 5 05 39	Solicitation number 050B7400008	[redacted]	[redacted]	[redacted]	[redacted]						
7/22/2022 10 41 33	Requesting all documents pertaining to COMAR 08.18.29.03. This is the Whitehall Bay-Mill Creek 6kt. marker move.	[redacted]	[redacted]	[redacted]	[redacted]						
7/23/2022 14 47 33	All arrest records on file with PG County sheriff's department located at Upper Marlboro MD on [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
7/23/2022 20 44 48	Hello! I'm conducting a market study, and was looking for all contracts that state agencies currently have with Brandt Information Services. For example, I am interested in contracts for hunting/fishing licensing, camping & parks reservations, park pass sales, harvest reporting & e-tagging, and anything else! Thank you so much, Paul	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
7/24/2022 13 36 58	I am requesting a copy of the State of Maryland's Purchasing Card contract with US Bank. Please include the original contract plus all amendments (up-to-date).	[redacted]	[redacted]	[redacted]	[redacted]						
7/25/2022 9 45 52	ACER Associates, LLC (ACER) is conducting an environmental assessment for the property located at 2785 N Salisbury Boulevard, Salisbury, MD (Maryland State Police Department). ACER is requesting any information you may have regarding underground storage tank releases, hazardous materials management or spills, groundwater contamination, chemical fires, or any other environmental concerns at the subject site. Furthermore, ACER would like any information on current or former permits/permit applications that you may have on record for the subject site. In particular, ACER would be interested in reviewing any permits regarding soil or groundwater contamination management, underground and aboveground storage tanks, and hazardous materials management.	[redacted]	[redacted]	[redacted]	[redacted]						
8/1/2022 1 58 49	2022-00324918	[redacted]	[redacted]	[redacted]	[redacted]						
8/4/2022 10 41 50	Any and all records pertaining to [redacted] [redacted] to include written materials, books, photographs, photocopies, films, microfilms, records, tapes, computerized records, maps and drawings created or received by the department in connection with the transaction of public business.	[redacted]	[redacted]	[redacted]	[redacted]						
8/4/2022 17 00 40	Information as to the current owner of one 2004 24' Crownline cabin motorboat bearing Hull ID No. JTC54517A404.	[redacted]	[redacted]	[redacted]	[redacted]						
8/8/2022 16 00 51	reports with humane society/animal control specific to [redacted] [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/9/2022 13 25 17	I would like to file a Public Information Act request for data from DNR's 2022 Blue Crab Winter Dredge Survey. Specifically, I would like access to a copy of the data collected at each of the 1500 sites used in the survey, including the dates each site was surveyed, and the other variables listed on DNR's webpage for the survey, such as GPS coordinates "recorded at the beginning and end of each tow", and the "Beginning and ending depth, water temperature, and salinity", the crabs' weights and "carapace" measurements, and the "sex of each crab". I would prefer a copy of this data in electronic format, and ideally in a .csv file listing the aforementioned variables, by specific survey sites. I would request a waiver of any fees, if possible, as they would likely present a financial hardship for me and I am only using this data for personal research and non-commercial purposes.	[redacted]	[redacted]	[redacted]	[redacted]						
8/10/2022 17 47 34	In accordance with the Public Information Act, I am requesting all records pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP) permit applications, decision letters pertaining to BSUP permits, issued permits, and all other letters, records, maps, and other graphic, recorded or other materials as defined under the PIA, related to the Homeowners Association (HOA) Trustee - Karen Myers / North Glade Cove Property Owners Association comprising 8 properties whose addresses include [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/11/2022 13 57 43	AACC 21 year old [redacted] killed in boat accident.	[redacted]	[redacted]	[redacted]	[redacted]						
8/11/2022 13 59 30	Investigation status of the death of a 21-year-old AACC student [redacted] in a boating accident.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
8/13/2022 13 47 07	Dear Information Officer Pursuant to the Public Records Act, I hereby request the following 1. All releasable OSHA records relating to a fatality of [redacted], of Pikesville, Maryland, that occurred around November 28, 2016 in Monkton, Maryland while he was working for a landscaping company. I am a representative of the New York Times, a news media organization primarily engaged in the dissemination of information that is urgently needed to inform the public of actual or alleged government activity. This request qualifies for expedited processing because 1) knowledge of child labor and child injury investigations is a matter of current exigency to the American public; 2) delay in releasing information about child labor investigations would compromise the recognized public interest in being informed about the ongoing public debate over how the government is responding to a growing concerns over the changing nature of the workforce in the wake of the Covid-19 pandemic. 3) CalOsha's work around child labor is clearly government activity, and 4) there are credible claims, including by affected parties, government workers and national political commentators, that aspects of the government's activity amid an uptick in child labor has been lacking and improper. I certify that this information is true and correct to the best of my knowledge. If you regard these documents as potentially exempt from the PRA disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. Please release all segregable, non-exempt portions of documents. To permit me to reach an intelligent and informed decision whether to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims. As required by the statute, please review whether there is any foreseeable harm from disclosing the requested records, or if any potential harm would be limited in comparison to the public interest in disclosure. Please release all such information, even if it technically may fall under a FOIA exemption. As a representative of the news media, The New York Times qualifies for news media fee status, may not be charged search and review fees. This request is made as part of a scholarly and news research project that is intended for publication and is not for commercial use. For details on the Times' news reporting activities please see our website at www.nytimes.com. Additionally, because this information will be used by the New York Times for the preparation of news articles that will be broadly disseminated to the general public, it will contribute significantly to public understanding of the operations or activities of the government and is not primarily in the Times' commercial interest. As such, please grant a fee waiver for any remaining fees incurred. Please notify me before incurring any cost over $100. To expedite the release of the requested documents, please disclose them on an interim basis in electronic format as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding my request, including its scope, please contact me a [redacted] or 415-[redacted] Sincerely, [redacted] – [redacted] Reporter Image removed by sender. [redacted] Cell [redacted] Signal/WhatsApp [redacted] [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
8/14/2022 8 10 01	I bought a 14 ft. Aluminum boat in NJ. The boat is not Titled in NJ. NJ requires me to have a Certified Title Search in all surrounding States. Maryland is a required state. I just need a Certified Title Search to satisfy NJ requirements. Thank you for any help you can provide. [redacted] Boat 14 ft. Aluminum, 1980 Mirrocraft, HIN# MRR82256M80D	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 12 06 28	All applications submitted by Johns Hopkins University for Scientific Collection and Possession of Barn Owls and all the permits issued to Johns Hopkins University for Barn Owls	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 18 45 36	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, pertaining to the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 18 52 35	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 18 59 23	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at NORTH GLADE COVE DOCK ASSOCIATION (No street address number is available) SOUTH SHORE RD SWANTON 2156 Map 0059 / Grid 0020 / Parcel 0388	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 03 10	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 04 53	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 06 21	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 24 06	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property and/or POA multi-dock located at - [redacted] (This appears to be a multi-dock site and/or POA)	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 26 01	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 27 21	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 19 29 08	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted] (This appears to be Bill's Marine)	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 18 51	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - Map 59 / Grid 0015 / Parcel 401 (Located between [redacted] [redacted]here appears to be no street address. This could be a multi-dock POA)	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 20 43	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 40 01	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]nd/or the North Glade Hills POA NGHPOA has a multi-slip common dock associated with the POA. It is unclear how the POA is registered in DNR's systems. [redacted] is the #1 lot in the parcel which is known as the NGHPOA. Call or email me for clarification.	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 43 13	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
8/16/2022 20 44 39	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 45 37	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 46 51	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 47 51	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 48 52	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 49 52	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 50 41	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 51 35	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 52 22	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 53 07	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 55 10	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 56 00	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 56 59	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 59 00	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 20 59 57	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 21 00 57	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/16/2022 21 01 44	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
8/17/2022 13 12 49	Hello, I request copies of, or access to, materials in the possession or custody of DNR (particularly the Fish Hatcheries Division) related to the procurement and use of fish food at the following fish hatcheries run by the Fish Hatcheries Division, from 1990 to the present I am specifically interested in the brand name(s) of food used by each hatchery, the years in which each brand of fish food was used, and any records regarding the chemical constituents of the fish food. I am also interested in copies of, or access to, records indicating the waterbodies in which the Hatcheries Division stocks fish from each fish hatchery. •Albert Powell Hatchery •Bear Creek Hatchery •Joseph Manning Hatchery •Mettiki Hatchery •Unicorn Lake Hatchery Finally, I request copies of any fish tissue sampling or similar studies regarding the presence of hazardous chemicals in hatchery fish. Thank you, Haley	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 13 55 28	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 13 56 39	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 13 57 41	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 13 58 22	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 13 59 06	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 00 06	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 00 49	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 01 38	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 02 27	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 46 29	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 47 40	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 48 27	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 49 06	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Permit (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
8/17/2022 14 49 44	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 50 35	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 51 17	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 52 15	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 52 58	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 53 44	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/17/2022 14 54 26	In accordance with the Public Information Act, I am requesting all "public records" in possession of the DNR pertaining to the Deep Creek Lake Buffer Strip Use Perm t (BSUP), Special Use Permits, related permit applications, decision letters pertaining to BSUP permits and issued permits, associated with the property located at - [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
8/19/2022 13 38 08	All records of complaints made against [redacted] since 2017 and any and all records of investigations conducted on the basis of such complaints. All records of complaints made against [redacted] since 2017 and any and all records of investigations conducted on the basis of such complaints. A log of the calls for service to Tyaskin, Maryland from June 1, 2017 through June 30, 2017 to include date/time of call, location, activity, incident no., and disposition. A log of the calls for service to Tyaskin, Maryland from March 1, 2018 through March 24, 2018 to include date/time of call, location, activ ty, incident no., and disposition.	[redacted]	[redacted]	[redacted]	[redacted]						
8/22/2022 14 53 11	Incident Report | DOA 8/5/22 | Involving collision of two (2) jet ski(s) owned by OC Sports dba Under Da Bridge Watersports.	[redacted]	[redacted]	[redacted]	[redacted]						
8/22/2022 16 07 32	Greetings, I would be grateful to obtain the following records through the Maryland Public Information Act documents pertaining to a proposal to build trails in or along the wild and scenic Youghiogheny River. More specifically, I would like to obtain copies of the following > Any emails, letters, correspondence, written proposals or other documents received from or sent by DNR staff to Garrett Trails, which is a nonprofit organization that has proposed to bu ld a network of trails in western Maryland including in the Youth corridor; any such documentation received from or sent to Garrett Trails' president Michael M. Dreisbach; any any such documentation from other senders or recipients representing Garrett Trails, such as but not limited to the organization's executive director, Josh Spiker. > Any emails, letters, correspondence or other documents received from or sent by Maryland state Sen. George C. Edwards; Del. Wendell Beitzel; and/or other lawmakers concerning a proposed network of tra ls in western Maryland including in the Youth corridor and funding for same. > Any or all public documents already released by DNR in response to other PIA requests made in 2022 concerning a proposal to build trails in or along the Youghiogheny River and the funding for same.	[redacted]	[redacted]	[redacted]	[redacted]						
8/24/2022 9 39 10	Copy of Recent DNR Grant for Town of Eagle Harbor, Inc. Aquasco, Maryland	[redacted]	[redacted]	[redacted]	[redacted]						
8/26/2022 8 43 11	We are submitting a FOIA/PIA/ORR for copies of the inspections, permits, or violation copies for the dock at [redacted] from Jan 2020 through current. We are investigating an injury that occurred on 08/23/2022. [redacted] Senior Casualty Adjuster [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
9/1/2022 12 56 25	Name of owner of [redacted] - or if required, copy of registration for [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
9/5/2022 15 59 02	[redacted] for any BUYDOWN, BUFFER STRIP or CONSERVATION EASEMENT areas between 10/1/2019 - PRESENT All APPLICATIONS of any kind submitted to Deep Creek Lake NRMA, and/or otherwise contemplated, discussed, or vetted by the Lake Manager's Office of DCL (including but not limited to applications for BSU Permits, Special Use Permits, Conservation Easement A teration and Shore Erosion Control). All PERMITS, APPROVAL TRANSMITTALS or responses of any kind from Deep Creek Lake NRMA.	[redacted]	[redacted]	[redacted]	[redacted]						
9/9/2022 17 47 33	All DNR incident reports concerning Savage Forest LLC & Iron Horse Logging for Coopers Lane.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
9/11/2022 20 55 16	I would like to acquire Maryland's GIS data for wild and stocked trout streams for use in a research project related to coldwater fisheries conservation	[redacted]	[redacted]	[redacted]	[redacted]						
9/12/2022 10 16 40	Please provide the following 1) Any and all documents related to any grant given to the Sylvan Shores residential community in Riva, Maryland, to upgrade or otherwise modify the stormwater management system between 2009 and 2015. 2) Any and all documents related to any inspection performed on the Sylvan Shores residential community's stormwater management system between 2015 and 2021. 3) Any and all permits, citations, or notices of violations related to the stormwater management system at the Sylvan Shores residential community in Riva, Maryland, between 2009 and present. 4) Any communications between you and Sylvan Shores Services, Company, Inc. related to the Sylvan Shores residential community. 5) Any communications between you and Gannett Fleming, Inc. related to the Sylvan Shores residential community. 6) All internal communications and records related to the stormwater drainage system in the Sylvan Shores residential community.	[redacted]	[redacted]	[redacted]	[redacted]						
9/13/2022 17 45 26	Copy of the boat accident report for case rpt # NRP-22-0085. The date of accident 07/03/22. If you can email to me, it would be most helpful. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
9/21/2022 11 24 26	I am requesting all information you have on 2022, current hunting license holders. This includes personal information eg; address, name.	[redacted]	[redacted]	[redacted]	[redacted]						
9/21/2022 12 46 56	All public records under the jurisdiction of DNR's Deep Creek Lake Policy Review Board (PRB) as pertains to the Buydown and Conservation Easement related to the property located at [redacted] The PRB advises the DNR Secretary on matters related to Deep Creek Lake policies and regulations. It also has oversight responsibility for the Buydown Conservation Easement. Specifically, the PRB is charged with responsibility to review and approve/deny permit applications to make changes to the Buydown.	[redacted]	[redacted]	[redacted]	[redacted]						
9/30/2022 16 48 08	I would like documents pertaining to DEPARTMENT OF STATE FORESTS AND PARKS [redacted] between January 27th, 1944 and the present. I would also like relevant information regarding the [redacted] Clay Deposit in Garrett County, Maryland. I would also like to know how much it is for such documents at your earliest.	[redacted]	[redacted]	[redacted]	[redacted]						
10/4/2022 18 34 17	Requesting reason for Emergency Suspension of KinderCare - 301533 at 6080 Marshalee Drive, Elkridge, Maryland, 21075	[redacted]	[redacted]	[redacted]	[redacted]						
10/13/2022 11 57 57	Dnr Gibsons Grant (located in zip code 21619) shoreline history of erosion control specifications that where approved in 2006 and changed in 2019.	[redacted]	[redacted]	[redacted]	[redacted]						
10/16/2022 21 00 22	I need a hard copy of the following Tree Care Statutes. You could send it in an email if I can open it. American National Standard for Arboricultural Tree Care Operations - Tree, Shrub and other Woody Plant Management ANSI A300 (Part 1) 2008 Pruning Revision of ANSI A300 (Part 1) - 2001; American National Standard for Arboricultural Tree Care Operations - Tree, Shrub and other Woody Plant Management - Standard Practices (Tree Risk Assessment and Tree Structure Assessment) ANSI A300 (Part 9) - 2011 Tree Risk Assessment and Tree Structure Assessment. These documents should be found in the License Tree Expert Regulations.	[redacted]	[redacted]	[redacted]	[redacted]						
10/16/2022 21 47 03	I would like to have the complete file regarding Investigation Number 2779. An specifically the contract, scope of work and the name of the person that authorized said work. This is involving a [redacted] of Access Tree Services LTE 2096. This is regarding a tree service that he did for a neighbor who lied about ownership of several trees belonging to [redacted]. This work was done between July 19 2021 and August 16 2021. A complaint was in Nov 2021 after it was determined he did the work. After several emails and phone calls a letter was sent to [redacted] on April 12 2022 by [redacted] On July 13 2022 a letter was sent to [redacted] stating insufficient evidence to proceed. I provided evidence to prove the violations in question. I'm sure you can get this file from Mr. Broadwater or Ms. Honecy.	[redacted]	[redacted]	[redacted]	[redacted]						
10/17/2022 16 19 51	Our firm has been retained to represent the interests of Baltimore Boating Center LLC. At this time, we are requesting all records related to the response and investigation of the boat fire on 7/30/22 on the Bohemia River involving [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
10/18/2022 11 03 33	2017 Jun 29 - Boarding of vessel 'Pride of Baltimore II' (hereafter Pridell) in Chesapeake Bay - Accompanied by Immigration and Customs Enforcement (Homeland Security Investigations) agents AQUINO and BAUH 1. Department or Agency Name(s) and FOIA/MPIA-equivalent contact information for all agencies local, state, and federal participating in planning or executing boarding action. 2. After-action reports of state and local responding personnel. 3. E-mails between DNR, ICE, other departments or agencies regarding this boarding action. 4. Copies of photographs, video, and/or audio; including radio exchange between vessels. 5. Assessment of damage suffered by Pridell, caused by DNR vessel ramming starboard stern quarter of Pridell while under way. 6. Documentation of reason and justification for vessel intercept when less violent means of achieving ICE and/or MD-DNR goals were available. 7. Processing Notes of this request. While I would very much like a waiver of fees, I believe I do not fall into a fee-waiver category. If the fulfillment of this request exceeds the fee-free threshold, please inform me of the fee-total prior to fulfillment so that I may choose to cancel or amend or pursue in full this request. Please provide acknowledgement of request receipt, and inform me of the request reference number, and an estimate of time required for fulfillment within 14 days. Thank you for your time and attention in this matter. Met vriendelijke groet [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
10/18/2022 11 23 50	Request for an accident report for an accident that happened on 07/15/2022 at the location of Rocky Gap State Park, Allegany County, MD. The insured is [redacted] and the report number is NRP-22-00932.	[redacted]	[redacted]	[redacted]	[redacted]						
10/20/2022 13 37 58	Name [redacted] Location [redacted] Conservation easement permit and plans for fence in buy down area.	[redacted]	[redacted]	[redacted]	[redacted]						
10/21/2022 11 31 21	All records, correspondence, maps, survey, metes and bounds or property/boundary descriptions from 1985 to 1995 related to the establishment of the Youghiogheny Wild River Scenic Corridor Boundary on Parcel M57 P434 (919 Burnett Road) in Garrett County. The reference numbers for my parcel on the COMAR Wild River maps are 92 and 131. The property was owned by Ralph Burnett (DB 356 278) when the Boundary was established. Also I am a GIS specialist and am interested in obtaining the 2 GIS shapefiles of the Youghiogheny Wild River Scenic Corridor Boundary that Maryland DNR has produced (1st from the early 2000s and the 2nd from January 2022). I understand that these are for planning purposes only and would like to use for planning of my acreage, forest and riverfront in the Wild Youghiogheny.	[redacted]	[redacted]	[redacted]	[redacted]						
10/24/2022 9 10 30	To obtain copies of documents, license, permits, and records for the general contractor named "Karma Home Designs LLC" or "KCG MD LLC".	[redacted]	[redacted]	[redacted]	[redacted]						
10/24/2022 18 20 51	I am seeking the number of charter boats responding to the DNR fisheries trip reporting programs, by month and year, since 1990. The end goal is to better understand effort (CPUE) for various species of interest. Any data which might be available by 'Wave' on number of boats, number of trips, numbers of fish, species, and length will also be greatly appreciated if it's available.	[redacted]	[redacted]	[redacted]	[redacted]						
10/25/2022 10 09 25	My company has been contracted to perform a Phase I Environmental Site Assessment (ESA) for a property located in your city. Per my due diligence, I am reaching out to see if you have any records pertaining to the following addresses to include reports of spills, leaks, Underground Storage Tanks (USTs), Aboveground Storage Tanks (ASTs), hazmat responses, permitting, or any other records of environmental interest. The address I'm interested in is 5485 Airport Terminal Road, Salisbury, MD 21804.	[redacted]	[redacted]	[redacted]	[redacted]						
10/31/2022 10 13 10	A complaint to the Maryland board of Nursing about me [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
11/2/2022 10 57 22	Remedial investigation and activities associated with NPL/SEMS site (EPA ID MD0570024000) referred to as JOINT BASE ANDREWS, 11th Wind/Joint Base Andrews (NAF), and also Andrews Air Force Base (AAFB) located at [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
11/7/2022 11 35 11	Call for service (2022-000-59479) on 10/10/2022 to [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
11/9/2022 12 28 21	FACTS E-Reporting Data suite. Striped Bass only. Total number of boats/captains participating and participation by day. Harvest data (Filleted, Kept, Released) of each boat for each day by the day. 2020-2022	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
	November 9, 2022 VIA ELECTRONIC MAIL Greg Bortz Public Affairs Officer/PIO Maryland Department of Natural Resources Office of Communications 580 Taylor Avenue, D4 Annapolis, MD 21401 [redacted] Re Maryland Public Records Act Request Mid-Atlantic States Horseshoe Crab Mortality Dear Mr. Bortz The Center for Biological Diversity ("Center") is a non-profit organization that works to secure a future for all species hovering on the brink of extinction through science, law, and creative media, and to fulfill the continuing educational goals of its membership and the general public in the process. The Center makes this request pursuant to Maryland Open Records Law , which requires state agencies to promptly respond to requests for public records. REQUESTED RECORDS The Center requests from the Maryland Department of Natural Resources ("MDNR") From January 1, 2016 to the date that MDNR conducts this search, the records that document any and all horseshoe crab mortality, take, and/or related harm, including but not limited to, pharmaceutical, bait, recreational, accidental take activities/purposes. Please note this request excludes email communications. For this request, the term "records" refers to documents, minutes, memoranda, comments, files, presentations, consultations, biological opinions, assessments, evaluations, schedules, papers published and/or unpublished, reports, studies, photographs and other images, data (including raw data, GPS or GIS data, UTM, LIDAR, etc.), maps, and/or all other responsive records, in draft or final form. This request is not meant to exclude any other records that, although not specially requested, are reasonably related to the subject matter of this request. If you or your office have destroyed or determine to withhold any records that could be reasonably construed to be responsive to this request, the Center asks that you indicate this fact and the reasons therefore in your response. Should you decide to invoke a Open Records Law exemption, please include in your full or partial denial letter sufficient information for us to appeal the denial, including 1.Basic factual material about each withheld item, including the originator, date, length, general subject matter, and location of each item; and 2.Complete explanations and justifications for the denial, including the category within the governing statutory provision under which the record (or portion thereof) was withheld and a full explanation of how each exemption fits the withheld material. Such statements will be helpful in deciding whether to appeal an adverse determination. Your written justification may help to avoid litigation. If you determine that portions of the requested records are exempt from disclosure, we request that you produce the remainder portions of such records and mail the remaining records to my attention at the address below location within the statutory time limit. FORMAT OF REQUESTED RECORDS The Center requests that MDNR provide records in a readily accessible electronic format. "Readily-accessible" means text-searchable and OCR-formatted. Please provide all records in a readily accessible, electronic .pdf format. Additionally, please provide the records either in (1) load-ready format with a CSV file index or excel spreadsheet, or if that is not possible; (2) in .pdf format, without any "profiles" or "embedded files." Profiles and embedded files within files are not readily accessible. Please do not provide the records in a single, or "batched," .pdf file. We appreciate the inclusion of an index. If MDNR determines that the requested records are subject to a still-valid exemption, we would further request that (1) MDNR exercise discretion to disclose some or all of the records notwithstanding the exemption; and (2) with respect to records containing both exempt and nonexempt content; that MDNR redact the exempt content and disclose the rest. Should MDNR elect to withhold any documents, please explain under which provision this is justified. RECORD DELIVERY If the MDNR is unable to promptly provide a response promptly after receipt of this request, we ask that you certify that fact in writing and set a date and hour within a reasonable time when the information will be available for inspection. Please provide a complete reply as expeditiously as possible. You may email or mail copies of the requested records to [redacted] Diversity [redacted] If you find that this request is unclear, or if the responsive records are voluminous, please email me to discuss the scope of this request. REQUEST FOR FEE WAIVER The Center requests a waiver of all fees because the disclosure of the requested records is in the public interest. The requested records will contribute significantly to the public's understanding of the status of horseshoe crabs in the State of Maryland. Responsive records will provide insight into the environmental impact on many species, as horseshoe crab eggs are the main food source for migratory birds including the red knot, a species listed as endangered under the Endangered Species Act ("ESA"). The crabs are also harvested for bait and for their blood in the biomedical industry. The public has a right to know what the government is allowing for a keystone species that migratory and endangered birds rely upon. I.The Center Qualifies for A Fee Waiver. While we are not requesting photocopies at this time, the Center respectfully requests a waiver for any fees associated with this matter. The Center is a non-profit conservation organization dedicated to protecting the environment, and educating the public about environmental resources and threats to those resources. The Center has members throughout Maryland. Once										

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
11/10/2022 9 25 07	Hello As a follow up to Public Information Act Request #081722, I would like to request the following information •Specific product names for each brand of fish food used by DNR at each of its fish hatcheries. •All data on the amount of fish food purchased by DNR at each of its fish hatcheries. •All sampling data collected by DNR relating to chemical compounds present in fish at DNR fish hatcheries •All data regarding which Maryland waterbodies are stocked by trout raised at the Bear Creek Hatchery •All data regarding which Maryland waterbodies are stocked by trout raised at the Mettiki Hatchery •All data regarding which Maryland waterbodies are stocked by trout raised at the Albert Powell Hatchery Thank you, Haley	[redacted]	[redacted]	[redacted]	[redacted]						
11/11/2022 8 45 13	How many Licensed Charter Boats & Fishing Guides there are in Maryland. And second, how many of those boats/guides participate in the FACTS reporting system? A year breakdown of 2020-2022 would be appreciated.	[redacted]	[redacted]	[redacted]	[redacted]						
11/14/2022 10 37 26	code violation cases for howard county	[redacted]	[redacted]	[redacted]	[redacted]						
11/18/2022 16 05 00	The unredacted voluntary statement of [redacted] which is contained in the DNR report NRP-17-01299. The unredacted voluntary statement will be used for litigation purposes in the case of Madison Lyons v. Mace Conley, Case No. C-20-CV-20-000100, currently pending in the Circuit Court for Talbot County.	[redacted]	[redacted]	[redacted]	[redacted]						
11/19/2022 10 54 04	Animal Control call, I want all documents in regards to reference number 22-67273.	[redacted]	[redacted]	[redacted]	[redacted]						
11/27/2022 7 57 08	PIA to the Governor's office of Crime Victims Compensation Board for all approved and denied crime victims claims from January 1,2006 to December 31,2022	[redacted]	[redacted]	[redacted]	[redacted]						
11/27/2022 8 10 05	REQUEST UPDATED PIA to the Governor's office of Crime Victims Compensation Board for all approved and denied crime victims claims from January 1,2006 to December 31,2022 with all money figures issued.	[redacted]	[redacted]	[redacted]	[redacted]						
11/29/2022 14 27 28	Fair Hill NRA, Elk Neck State Park and Susquehanna State Park. for each of these park, interested in total number of units by type (tent vs. cabin, vs. rv) available and total number of units by type occupied for the years 2019 and 2021. Additionally, total revenue by site type for each of these years. We are doing work for Delaware State Parks on Camping and these units are close to the park we are doing work on. This data would provide us insight to the occupancy of these campgrounds.	[redacted]	[redacted]	[redacted]	[redacted]						
11/30/2022 15 15 25	Our firm represents B&J Guide Service in relation to an incident that occurred on 1/11/20 between 1 00pm-3 00pm at 32325 Galena Sassafras Rd/MD-290, Galena, MD 21635. We wish to obtain the following (if available for release) 1. Any and all DriveCam/ DashCam or bodyworn/aerial drone or video camera footage; 2. Any and all 911 call audio records, transcripts, and CAD Logs of same, 3. Any photographs, pictures, or diagrams of the occurrence, 4. Any and all information that can be produced regarding any investigation into the occurrence. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
12/5/2022 6 17 05	Police Report for the Accident on 9/18/2022 in Chesapeake Bay at approximately 1530 hours. [redacted] was struck by a sail boom and subsequently drowned. Exact location of the incident is 3819917 Latitude 07553983 Longitude, Chesapeake Bay, MD.	[redacted]	[redacted]	[redacted]	[redacted]						
12/6/2022 17 41 41	All Annual Compliance Reports created regarding horseshoe crab collection from years 2015 through 2022. If the Report is not yet available for 2022, I ask that the information typically represented in that report be provided through other records that include this information, including amount of crabs harvested, mortality, trawl/population numbers, research conducted, number of fishermen actively participating in this fishery, and any other information typically included in the report.	[redacted]	[redacted]	[redacted]	[redacted]						
12/7/2022 20 08 10	Wetland and Floodplain Permits/Approvals, Wetland/Waters Delineation Information for the property at 4601 North Point Boulevard, Sparrows Point, Baltimore County Maryland (Tax Parcel 1509350160). The site is approximately 35 acres.	[redacted]	[redacted]	[redacted]	[redacted]						
12/9/2022 19 21 45	DNR visits to dorothy Drive, Sunderland, md during the last 60 days.	[redacted]	[redacted]	[redacted]	[redacted]						
12/13/2022 12 23 12	I am a current state employee - I left DNR and started with MDE in December 2017. I'm looking for access to my former state email address [redacted] Specifically, I am looking for an email I sent to MPS summer of 2016 (exact date unknown).	[redacted]	[redacted]	[redacted]	[redacted]						
12/13/2022 14 09 09	Good morning, I would like to know if it is possible to obtain a listing of Oil & Gas Well site locations for the entire state in Excel or Access format. Information I would like is API NUMBER PERMIT NUMBER OPERATORNAME WELL STATUS WELL TYPE LATITUDE LONGITUDE FIELDNAME DATE DRILLED LAST_ACTIV IVE DATE PRODUCTION COUNTY LEASE_NAME WELL_NUMBER WELL NAME Please let me know. Thank you for your help. [redacted] | [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
12/13/2022 16 32 26	Fisheries Management Stocked Locations, Tier II High Quality Waters, Put and Grow Trout Watersheds, Maryland Trout Watersheds	[redacted]	[redacted]	[redacted]	[redacted]						
12/18/2022 12 59 49	Data Information	[redacted]	[redacted]	[redacted]	[redacted]						
12/24/2022 11 55 28	Body camera footage	[redacted]	[redacted]	[redacted]	[redacted]						
12/24/2022 12 15 04	Any documentary material in any form	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Mailing Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
12/24/2022 12 17 29	Any documentary material in any form of my dad, [redacted] born April 1957.	[redacted]	[redacted]	[redacted]	[redacted]						
12/28/2022 6 58 21	Police report of hunting accident on 12/20/22 at RT388 & Perry Hawkins Rd Princess Anne MD	[redacted]	[redacted]	[redacted]	[redacted]						
1/1/2023 14 48 34	I am looking for the information on what recreational management systems the agency employs. These software solutions usually include a customer management system (CRM) and an online storefront / point-of-sales solution for managing hunt/fish licenses, campground reservations, annual park passes, donations, and more. I am requesting - Fully executed contract(s), signed amendments to the contract, including any changes to the agreement or extensions of the agreement. - Invoices from that vendor for services rendered or fees due for the past 24 months. - A copy of the winning vendor's RFP submission, any presentation materials related to the RFP, including audio recordings, if available, as well as any scoring documents by evaluation teams related to the RFP. - Copies of the losing vendors' RFP submissions Examples of relevant vendors for reference · Aspira · Brandt · S3 · NIC · Kalkomey · USeDirect	[redacted]	[redacted]	[redacted]	[redacted]						
1/2/2023 10 28 52	Dear Chief District Judge James K. Bredar and/or PRINCE GEORGE S COUNTY Under the Public Information Act, I am requesting an opportunity to inspect or obtain copies of public records for Commissioner #5231 ROBINSON III, JOHN, DC5 Former Commissioner. I am requesting The term start and end dates for Commissioner #5231 ROBINSON III, JOHN, Name of Nominating Judge for Commissioner #5231 ROBINSON III, JOHN, Term start and end dates for Commissioner #5231 ROBINSON III, JOHN "Supervisors", Name of Nominating Judge for Commissioner #5231 ROBINSON III, JOHN "Supervisors", I am requesting any complaints and/or disciplinary actions filed on or taken against Commissioner #5231 ROBINSON III, JOHN, I am also requesting Commissioner #5231 ROBINSON III, JOHN, Job Application for Commissioner, Qualifications met for the Commissioner's posting, any documents relating to the vetting process for Commissioner #5231 ROBINSON III, JOHN, BIO , Educational Background, Committees that Commissioner #5231 served on and/or worked with, and the county that Commissioner #5231 ROBINSON III, JOHN lives and/or lived in that qualified him to be nominated as a Commissioner in DC5. If there are any fees for searching or copying these records, please inform me if the cost will exceed $100.00 However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of MD Code, Courts, and Judicial Proceedings, § 2-607 § 2-607. Commissioners. This information is not being sought for commercial purposes. The Maryland Public Information Act requires a response to this request within 30 days. If access to the records I am requesting takes longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for considering my request.	[redacted]	[redacted]	[redacted]	[redacted]						
1/4/2023 8 20 14	Police report of hunting accident on 12/20/22 at RT 388 & Perry Hawkins Rd Princess Anne MD	[redacted]	[redacted]	[redacted]	[redacted]						
1/4/2023 9 17 48	All reports, notes, documentation, phone logs and other correspondence regarding the properties of Trouble Lane and Dorothy Drive Sunderland, MD in relation to the hunting incidents from November 5 - November 8th, 2022. All reports written by [redacted] in relation to the hunting incidents November 5-8, 2022 on Dorothy Drive and Trouble Lane. We would like this information within 15 days.	[redacted]	[redacted]	[redacted]	[redacted]						
1/4/2023 9 19 18	A list of incident calls DNR had to respond to in relation to Dorothy Drive and Trouble Lane in 2022. To include Date, Caller Name, Reason for call and Responder. We would like this information within 15 days.	[redacted]	[redacted]	[redacted]	[redacted]						
1/4/2023 13 38 07	COPY/PROOF HUNTING LICENSE [redacted] OF [redacted] AND [redacted] We would like this information within 15 days.	[redacted]	[redacted]	[redacted]	[redacted]						
1/6/2023 16 40 30	Hi, I hope this finds you well. I have a "Freedom of Information Act" request. I would like to request a listing of all residential homes in the County of Sedgwick that have had a Code Violation open & not satisfied since, January 2021 or earlier/approximately 24 months of the violation having not been satisfied.	[redacted]	[redacted]	[redacted]	[redacted]						
1/6/2023 16 41 02	Hi, I hope this finds you well. I have a "Freedom of Information Act" request. I would like to request a listing of all residential homes in the County of Harford and Cecil that have had a Code Violation open & not satisfied since, January 2021 or earlier/approximately 24 months of the violation having not been satisfied.	[redacted]	[redacted]	[redacted]	[redacted]						
1/10/2023 10 58 58	All recreational boat registration dates for myself	[redacted]	[redacted]	[redacted]	[redacted]						
1/12/2023 13 11 10	I want to see who reported me to DNR for having 2 white tail deer.	[redacted]	[redacted]	[redacted]	[redacted]						
1/12/2023 15 36 54	To review or receive all documents, records, notes, recordings, emails, and correspondence, either digital or written, regarding the full background investigation of Bradley J Ditmars dating back to August 1st 2022.	[redacted]	[redacted]	[redacted]	[redacted]						
1/15/2023 21 19 43	Copy of registration papers for 27 Ft Boat Registration #MD 2929 AH 2010 #518040	[redacted]	[redacted]	[redacted]	[redacted]						
1/17/2023 10 04 52	Attorney General's report "Clergy Sexual Abuse in Maryland"	[redacted]	[redacted]	[redacted]	[redacted]						
1/18/2023 7 30 33	1. The file of the Maryland Environmental Trust for the property at 3366 Belmont Ave, Glyndon, Md 21136 (property tax id nos. 2100004316, 4317) 2. All correspondence sent to or received from the property owner relating to the easement. 3. All documents sent to or received from the property owner relating to the easement.	[redacted]	[redacted]	[redacted]	[redacted]						
1/19/2023 12 06 42	Pennoni would like to request all applicable remedial, permitting and enforcement records associated with [redacted], located on the St Elizabeth/St Agnes medical campus. We are also interested in any information from 1700-present day regarding illegal waste discharges, aboveground and underground storage tanks, environmental contamination, or violations of environmental laws. Specifically, we are interested in any information related to Parcel # 0325017654H146.	[redacted]	[redacted]	[redacted]	[redacted]						

1/19/2023 12:27	FIOA Request For Zkira Kemp	Jason Blake	9122482702	150 Boykin Ridge Drive	gardenfam199@gmail.com
1/26/2023 15:39	I am seeking to establish the Catch Per Unit Effort for the spring season recreational fishery in the Maryland portions of the Chesapeake Bay. As such, I am requesting the number of recreational anglers, by week, as reported by all for-hire operators (i.e., the number of angler trips taken on for-hire vessels during each week) in the Maryland portion of the Chesapeake Bay, including its tributaries, for the months of March, April, May, and June for all years since 1990 and through 2022. No personally-identifiable information is required to complete this request. Thank you very much in advance for your assistance.	[redacted]	[redacted]	[redacted]	[redacted]
2/2/2023 15:18	Dear Anthony Burrows, Under the Maryland Public Information Act, NPR is requesting the following records: All Chain of Custody forms submitted by all three companies licensed to harvest horseshoe crabs for biomedical use in Maryland, since January 1, 2019 through December 31, 2022. I request that these records be sent to me via email at [redacted]. I am also happy to discuss alternative methods of sending records. In the event that the Department of Corrections believes any records requested should not be considered public record or should be redacted in some way, please: Describe the records that are being withheld, if records are being withheld, and Detail the exemption in the law that the Department believes justifies the withholding and/or the redaction. I am a member of the press. All records are requested on behalf of the public and are in the public interest. Therefore I request that fees be waived. In the event that fees cannot be waived, please inform me of the charges before fulfilling the request so that I may review them. Let me know if you have any questions. I can be reached at my email, [redacted], or at 202 913 5288.	[redacted]	[redacted]	[redacted]	[redacted]
2/3/2023 9:34	NPR-[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
2/6/2023 12:16	My brother [redacted] was killed in a boating accident on 07/10/2022. I am requesting any and all documents related to his case, including the autopsy. It was investigated as a boating accident and a drowning investigation. The police report number is NRP-22-[redacted]. The Medical Examiner's case number is 22-[redacted].	[redacted]	[redacted]	[redacted]	[redacted]
2/6/2023 16:24	[redacted] (DOB [redacted]) any/all hunting, licensing, permits, stamps over the past five (5) years.	[redacted]	[redacted]	[redacted]	[redacted]
2/8/2023 12:27	I'm requesting a copy of the report for the vacant land next to me purchased by [redacted]. Her Uncle and his friend trespassed onto my property and neighboring properties seeking to hunt deer. They used a firearm in the backyard of [redacted] and [redacted] property that then called DNR. This all happened on 9-2-2022.	[redacted]	[redacted]	[redacted]	[redacted]
2/13/2023 13:08	Requesting Maryland Commercial and For-Hire metrics data for 2000 to 2022	[redacted]	[redacted]	[redacted]	[redacted]
2/16/2023 11:44	DN	[redacted]	[redacted]	[redacted]	[redacted]
2/17/2023 15:15	I, [redacted] Maryland Driver's License Number [redacted], pursuant to the Maryland Public Information Act, hereby request a complete copy of all records, whether having filed in paper and/or electronically, in the possession of the Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) regarding me	[redacted]	[redacted]	[redacted]	[redacted]
2/20/2023 13:50	All agreements, contracts and communications regarding Maryland Department of Natural Resources property ACCTID 0903025578, (4.5656 acres) Ben Doane Road in Charles County Maryland. Specifically, regarding the marking of the road as private property and blocking access to the Potomac River.	[redacted]	[redacted]	[redacted]	[redacted]
2/21/2023 19:18	Number of non-commercial female crab possession warnings and tickets from last two years of available data.	[redacted]	[redacted]	[redacted]	[redacted]
2/25/2023 9:13	The Community Parks and Playground grant application package for Riverdale Park Community Playground Improvement Project (approved in FY2014).	[redacted]	[redacted]	[redacted]	[redacted]
2/26/2023 0:14	Request all photos, investigation statements, forensic results, names of officers involved, regarding 2 ducks reported dead on Smith Island in May, 2022 also any information held by dnr on [redacted], including files, officer notes, searches, this is my third request.	[redacted]	[redacted]	[redacted]	[redacted]
3/2/2023 15:37	Commercial catfisherman names and contact information	[redacted]	[redacted]	[redacted]	[redacted]
3/2/2023 16:14	Two MD DNR Chesapeake and Atlantic Coastal Bays Trust Fund GRANT APPLICATIONS funded in 2017 (applications were likely submitted in 2016). Application 1 title: Loch Raven Watershed Stream Restorations, Applicant: Baltimore County Soil Conservation District. Application 2 title: Deer Creek and Little Gunpowder Watershed Stream Restorations, Applicant: Harford Soil Conservation District.	[redacted]	[redacted]	[redacted]	[redacted]
3/2/2023 17:06	I would like to request the case report, all associated documents, and photographs and bodycam footage (if available) for case number: NR02B0U4V. The defendant's name is [redacted] I understand fees may be associated with this records request, please let me know how much the fees are. If possible, could the documents be delivered in electronic format over email. If they need to be mailed can they be mailed to [redacted] Please let me know if you have any questions or need clarifications.	[redacted]	[redacted]	[redacted]	[redacted]
3/5/2023 8:35	DNR Call Log for the morning of Saturday November 26, 2022 Source of complaint for "Excessive Shooting" on Monroe Road in Boonsboro MD and all associated documentation for the dispatch	[redacted]	[redacted]	[redacted]	[redacted]
3/6/2023 10:19	Any and all records related to a jet ski collision that resulted in at least one fatality. Incident occurred on May 30, 2022 between [redacted] (deceased), and [redacted] who collided while operating jet skies. Please provide all incident related information, investigation file records, incident reports, and all records related to this accident.	[redacted]	[redacted]	[redacted]	[redacted]

Timestamp	Public Records being requested	Name	Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
3/11/2023 19 30 15	Body camera files of [redacted] officer First Class ([redacted]rom 5/25/2022 concerning investigation of MD0020500, including w tness interviews, conversations between above officers, including interviews with school personnel of Ewell School. Statements, notes, emails, and all other information related to school investigation. All emails, notes, and any other records, including warrant requests related to Donald C. Evans between the above officers, and anyone else. Records of [redacted] including employment application, and all training records, including detailed training and experience related to his recovery and identification of evidence from the neck of a drake mallard on 9/29/2022.	[redacted]	[redacted]	[redacted]	[redacted]						
3/13/2023 14 50 45	Inspection Reports for Holly Beach Farm Conservation Easement since 2001	[redacted]	[redacted]	[redacted]	[redacted]						
3/22/2023 15 28 50	Annual commercial harvest and dockside value 2012-2022 from the Maryland portion of the Chesapeake Bay for the following species white perch, yellow perch, American eel, channel catfish, blue catfish, snakehead	[redacted]	[redacted]	[redacted]	[redacted]						
3/23/2023 10 39 39	Public Angler Access GIS Dataset	[redacted]	[redacted]	[redacted]	[redacted]						
3/25/2023 21 24 38	All film recordings, audio and reports related to traffic violation on 3/25/2023 18 20 MDTA1910000066W Officers El-Fatlawi ID 1910 and Ph hus ID 1737	[redacted]	[redacted]	[redacted]	[redacted]						
3/27/2023 13 17 26	financial proposal associated with Solicitation No. Q0017059, Inmate Mental Health Services	[redacted]	[redacted]	[redacted]	[redacted]						
3/29/2023 19 10 36	I would like copies of any records as they relate to the euthanization of two eaglets that were in a nest at Cove Point Park in Lusby MD approximately two or three years ago.	[redacted]	[redacted]	[redacted]	[redacted]						
4/4/2023 10 12 41	#5388	[redacted]	[redacted]	[redacted]	[redacted]						
4/5/2023 11 57 50	Electronic records of a l aerial drones, UAs, UAVs, and UASs (hereinafter "drones") purchased by the Maryland Department of Natural Resources from FY2010 to FY2022. I would like the date of the purchase, the cost of the purchase, and the manufacturer.	[redacted]	[redacted]	[redacted]	[redacted]						
4/5/2023 14 05 54	Fire report needed for Allstate Insurance claim for Date of Loss 03/21/2023 Location [redacted] Insured [redacted] Loss Description Insured was burning boxes in fire pit when wind picked up and spread fire to approximately 6 properties	[redacted]	[redacted]	[redacted]	[redacted]						
4/7/2023 5 47 11	Measuring Maryland's Progress (GPI reports)	[redacted]	[redacted]	[redacted]	[redacted]						
4/10/2023 13 24 22	Fire report number 5613 regarding the fire at Kings Landing Park, [redacted] F[redacted]n 4/3/2023	[redacted]	[redacted]	[redacted]	[redacted]						
4/13/2023 8 55 45	Quail Ca l Surveys from Greenbury Point Conservation Area 2001 to present	[redacted]	[redacted]	[redacted]	[redacted]						
4/13/2023 14 24 33	Registration copy for a Bayliner Boat that I owned in 1980, 1981 or 1982. Boat name Bay Lion.. need to prove that I owned it. Thank you!	[redacted]	[redacted]	[redacted]	[redacted]						
4/14/2023 10 15 17	5588 - Fire Report	[redacted]	[redacted]	[redacted]	[redacted]						
4/17/2023 9 36 56	I am requesting the Sewage Sludge Utilization Permits for four wastewater treatment plants (Maryland Manor Mob le Home Community, LLC (NPDES Permit MD0024333); Patuxent Mob le Home Community, LLC (NPDES Permit MD0024694); Lyons Creek Mobile Home Estate, LLC (NPDES Permit MD0053511); and Boones Mobile Home Estate, LLC (NPDES Permit MD0050903)). Additionally, if not included in the Sewage Sludge Ut lization Permits, I am requesting information about what chemicals are being added to the sludge, when they are being added, and where the sludge is being taken.	[redacted]	[redacted]	[redacted]	[redacted]						
4/19/2023 12 31 30	2022 Asphalt Volumes for all Maryland Plants	[redacted]	[redacted]	[redacted]	[redacted]						
4/20/2023 17 38 35	Criminal history [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/21/2023 6 33 09	Good Morning, I am conducting an environmental site assessment on the fo lowing property • [redacted] As part of the investigation, I would l ke to review any and all records you have for the above-referenced property pertaining to the following • Current or historical use of hazardous materials and/or hazardous waste • Current or historical underground/aboveground storage tanks (USTs/ASTs) • Current or historical clarifiers, oil/water separators, grease traps, interceptors, septic systems • Violations or Notices to Comply In addition, I'd like to ask for any specified documentation pertaining to •Historical use of south adjoining property (addressed as 9100 Liberty Road) including former gas station (1966-1980), automotive repair (1966-1975), 7-Eleven convenience store since ca.1990. •Historical use of east adjoining property (addressed as 3629 Offutt Road) including within dryleaning facility (Su's Cleaners – appears to be currently active), identified with RCRA VSQG registration (under Randallstown One Hour Cleaners-Ben Lee) in 1985 for spent halogenated solvents. Air violations noted. •The OCP cases reported for the property addressed 9108 Liberty Road, including Dumping Case # 99-2369BA2 opened on March 26, 1999 and closed on October 12, 1999 and Dumping Case # 99-0348BA2 opened and closed on August 22, 1995. Were those cases granted with No Further Action (NFA) status or letter? If no such records are readily available please respond accordingly. In order to help determine my status to assess fees, you should know that I am affiliated with a private corporation and seeking information for use in the conduct of the company's business. Please forward any records (via e-mail at [redacted]) that exist for the aforementioned property or any other pertinent information, at your earliest convenience, and notify Partner if there are any costs associated w th this request prior to processing.	[redacted]	[redacted]	[redacted]	[redacted]						
4/21/2023 22 20 41	We wish to obtain copies of a l identifiable remedial, permitting, compliance, and enforcement records for the property identified as Rolling Road Commerce Center and Mini Storage at 2707-2709 and 2749-2751 Rol ing Road, Windsor Mill, Baltimore County, MD 21244 (Tax ID Nos. 2300007601 and 2300007602). If possible, please provide responsive records electronically to [redacted] or advise of the cost to make and ma l copies. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
4/23/2023 15 03 35	Home site plan and approved permit.	[redacted]	[redacted]	[redacted]	[redacted]						
4/25/2023 12 21 31	Any documents or video footage of the citations issued to [redacted] on Apr l 23rd, 2023 by Officer Moats and Sargent Friend. The incident occurred on Green Ridge Rd Allegany County but the location on the citation is "Green Ridge State Forest."	[redacted]	[redacted]	[redacted]	[redacted]						
4/27/2023 16 52 22	Copy of the current grazing lease in North Point State Park which is part of Gunpowder Falls State Park.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name	Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
4/28/2023 9 50 08	April 27, 2023 Anthony Burrows Maryland Pub ic Information Act Request Manager Office of Communications 580 Taylor Avenue, D4 Annapolis, MD 21401 [redacted] Dear Mr. Burrows, This is a request for public records pursuant to the Maryland Public Information Act Title 4. I request copies of all internal and external Maryland Department of Natural Resources correspondence from January 1, 2022 to present–including, but not limited to emails, text/SMS messages, memos, meeting minutes, reports, and letters–related to any and all activities at Jack Creek Park in Shady Side, MD. I request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the pub ic's understanding of DNRs activities and how tax dollars are being used. This information is not being sought for commercial purposes. The Maryland Pub ic Information Act requires a response to this request within 30 days. If access to the records I am requesting will take longer than this amount of time, please contact me w th information about when I might expect copies or the ability to inspect the requested records. If you deny any or all of this request, please c te each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures ava lable to me under the law. Thank you for your assistance. Sincerely, [redacted] [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/28/2023 11 14 11	- The number of active commercial crab licenses by category per year over the last 5 years. - The number of each type of crab license or crab resource violation per year in the last 5 years (i.e. in 2020 there were 5 crab trap placement violations), and if possible the resultant penalty/fine, average fine or total fines that were assessed for each type of violation, or documents detai ing that information.	[redacted]	[redacted]	[redacted]	[redacted]						
4/28/2023 11 18 27	"Duplicate request, please ignore previous, I subm tted it before t was complete" Hello, I'm doing some research for my MBA class project, here's the information I'm looking for - The number of active commercial crab licenses by category per year over the last 5 years. - The number of each type of crab license or crab resource violation per year in the last 5 years (i.e. in 2020 there were 5 crab trap placement violations), and if possible the resultant penalty/fine, average fine or total fines that were assessed for each type of violation, or documents detai ing that information. Since I'm using this information for educational purposes, in association with an educational institution, I'm requesting a waiver for any fees associated with this request. Thank you for your help! [redacted] [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
4/29/2023 0 09 05	Requesting records of the history of ownership and administration of Bayfront Park in Chesapeake Beach, MD. particularly as it pertains to the transfer of ownership from the State authority to the local Chesapeake Beach town authority	[redacted]	[redacted]	[redacted]	[redacted]						
5/1/2023 19 28 07	Fire Report from April 22, 2023 fire at[redacted] [redacted]	[redacted]	[redacted]	[redacted]	[redacted]						
5/3/2023 10 51 18	All records pertaining to confirmed cased of opossums having rabies in Maryland.	[redacted]	[redacted]	[redacted]	[redacted]						
5/8/2023 13 54 37	Copy of Business License re D'Jour Lounge, 7714 Harford Rd., Parkville, MD 21234	[redacted]	[redacted]	[redacted]	[redacted]						
5/9/2023 14 35 48	Joint Use Agreement signed in 2020 and all other documents, reports, communications and correspondence between the DNR, City of Annapo is, Anne Arundel County and/or Chesapeake Region Accessible Boating, Inc., related to Program Open Space funding for the City's purchase of land at 7040 Bembe Beach Road, Annapolis, MD 21403	[redacted]	[redacted]	[redacted]	[redacted]						
5/11/2023 13 46 47	All records, laboratory reports, data and correspondence that relate to any groundwater, surface water, or water supply samp ing conducted by DNR (or a contractor on behalf of DNR) in Cecil County this year (in 2023) for any PFAS, including but not limited to the Fair Hill Natural Resources Management Area.	[redacted]	[redacted]	[redacted]	[redacted]						
5/17/2023 16 25 18	Number of boating deaths at Deep Creek Lake Md. between 1967 and 1972, names not really necessary but ages would be best, Thank You	[redacted]	[redacted]	[redacted]	[redacted]						
5/20/2023 9 37 41	The last known address of an abandoned boat in my possession, registration MD 8046 CD	[redacted]	[redacted]	[redacted]	[redacted]						
5/20/2023 18 39 03	Patapsco River/ Creeks Records	[redacted]	[redacted]	[redacted]	[redacted]						
5/21/2023 13 02 39	Owners info for boat registration # MD 9200 DC	[redacted]	[redacted]	[redacted]	[redacted]						
5/23/2023 14 09 01	The Oxon H ll Center 6031 Oxon H ll MD 20745	[redacted]	[redacted]	[redacted]	[redacted]						
5/24/2023 11 44 50	Montgomery County Citation. Number 2Z33354008. Tracking No. 001001204035. Name, Robert Dedad. DOB 11/06/1962	[redacted]	[redacted]	[redacted]	[redacted]						
5/24/2023 12 35 28	We are performing a background investigation on the fo lowing individual and are requesting any and all hunting, fishing, and watercraft licenses and/or permits Name [redacted] DOB 11/07/1971 Last 4 SSN 9602 Address 289 Sycamore Rd, Elkton, MD 21921. Subject has lived in Maryland since 1998, but if you need a tigher time frame, can you run from 1/1/15?	[redacted]	[redacted]	[redacted]	[redacted]						
5/24/2023 13 36 45	A list of the lawyers and paralegals names that are working in Cecil County Executive, Danie le Hornberger's administration all departments. Thank you.	[redacted]	[redacted]	[redacted]	[redacted]						
5/24/2023 13 41 01	The current salary for the Cec l County Executive, Danielle Hornberger, Cecil County Director of Administration, Steven Overbay, and Cec l County Attorney, Lawrence Scott.	[redacted]	[redacted]	[redacted]	[redacted]						
5/24/2023 13 43 16	How much was paid on Cecil County Bonds in 2022? The amount paid down from the amount that was borrowed.	[redacted]	[redacted]	[redacted]	[redacted]						

Timestamp	Public Records being requested	Name		Phone	Ma ling Address	Email Address	Due Date	10 Days	Ken Yetman	Response Sent	Speical Notes	Completed
5/25/2023 13 23 07	This is a request for a copy of the boat accident report # NRP-[redacted]that occurred on 7/02/22 on the Magothy River in Anne Arundel County. Our insured is [redacted] [redacted]he was operating a 1994 Searay boat. The investigating officer was[redacted] [redacted]Thank you for your assistance.	[redacted]	[redacted]		[redacted]	[redacted]						
5/26/2023 13 23 29	Results of PFAS State-maintained wells on the Fair Hill NRMA property, including those wells that provide water to residential housing	[redacted]	[redacted]		[redacted]	[redacted]						
5/31/2023 11 49 11	harvest data for snapping turtle, including number of harvesters reporting each month/year, month of harvest, location/NOAA code/rivier of harvest, pounds of harvest reported each month, pound of harvests reported by gear, any other species related data collected by the DNR since 2016. Thank you for your consideration.	[redacted]	[redacted]		[redacted]	[redacted]						
5/31/2023 15 17 19	test results of PFAS in water (wells) on Fair Hill NRMA property	[redacted]	[redacted]		[redacted]	[redacted]						
5/31/2023 23 55 33	Video related to a traffic dispute in which one of your Resource Officers stopped to assist and I am hoping to get the video from his body and/or dash cam video. PIA #23-1029 Call #2022-00495783 Date of Incident 11/26/2022 Location of Incident Hit and run on Ocean Gtwy & Middletown Branch Rd	[redacted]	[redacted]		[redacted]	[redacted]						

LAND PURCHASE/SALE CONTRACT

Agency: DNR

File No.: WF10096

Disposition: ______________

This Purchase/Sale Contract, made this 22 day of August, in the year 1991, by and between CSX TRANSPORTATION, INC., successor by merger to The Baltimore and Ohio Railroad Company, whose address is 500 Water Street, Jacksonville, Florida 32202, hereinafter designated Seller/Grantor, and whose tax identification number is 54-6000720, and the STATE OF MARYLAND, to the use of the DEPARTMENT OF NATURAL RESOURCES, whose address is Tawes Office Building, Annapolis, Maryland 21401, hereinafter designated Buyer/Grantee, WITNESSETH:

Seller agrees to sell and Buyer agrees to buy the following property (hereinafter designated collectively as "the Premises"), now owned by Seller and described on the attached exhibits as following:

> Exhibit A. All those unimproved parcels being in Washington County, Maryland, containing 178.43 acres, more or less, lying between Weverton (Grantor's Rail Station 30+85.5) and Roxbury (Grantor's Rail Station 980+00), as shown on Seller's Drawing No. X-20778-1, dated July 23, 1971, attached hereto; the same forming a railroad bed, approximately 17.98 miles long, varying in widths and between 50 and 60 feet at various locations;

Purchase Price for the Premises shall be the sum of Five Hundred Fifty Thousand and No/100 Dollars ($550,000.00), in lawful money of the United States of American, cash, without interest, payable at the date of Settlement, upon transfer of title to Grantee/buyer.

Grantor and Gratee agree to work towards a closing date of September 30, 1991. However, settlement under the terms and conditions herein contained must occur on or before December 31, 1991; TIME BEING OF ESSENCE of this Contract. If Settlement does not occur, all obligation between the parties hereto shall be null and void.

Conveyance of the Premises from Grantor to Grantee shall be by Quitclaim Deed, on an "as is" basis, however, shall be subject to: the usual exceptions contained in title insurance binders; all existing roads and public utilities; reservations, exceptions, easements and restrictions of record; and all existing encroachments, ways and servitudes which are determinable by a proper survey or by an inspection of the Premises; but shall otherwise convey good and marketable fee simple title, free and clear of all liens.

Grantor's Deed to Grantee shall include a covenant wherein Grantor shall not be required to erect or maintain any fence, railing or guard rail along any boundary line between the Premises and any adjacent lands of Grantor or its affiliates; and shall not be liable for any portion of cost or expense to erect or maintain such fence, etc.; and shall not be liable for any damage, loss or injury resulting from the non-existence of any fence, etc.

Seller shall not mortgage, encumber or otherwise dispose of the Premises, or any part thereof, prior to Settlement, without having first obtained prior written consent of Buyer, its successors and assigns, to do so.

Buyer is hereby given Right-of-Entry to the Premises, for its employees, agents and contractors, to physically examine the same, and to conduct any surveys to determine the exact acreage of the Premises, or any parcel, thereof and to make such environmental analysis of the Premises or any part thereof as Buyer deems necessary (including the determination of amounts and/or concentrations of any substances, materials or wastes deemed to be hazardous, in accordance with federal or state law, beyond minimum acceptable levels established by such laws or regulation.) If Buyer elects not to make such tests or inspections, or if Buyer does not elect to terminate this Purchase/Sale Contract in the event that Buyer determines unacceptable levels of such substances, materials or wastes, the Buyer shall take the Premises "as is" and thereafter shall be solely responsible for environmental condition of the Premises; and under no circumstances thereafter shall Seller be required to correct, remedy or cure any condition or characteristic of the Premises, including but not limited to any environmental contamination which Buyer's tests or studies may reveal. Buyer acknowledges that Seller makes no guarantee, representation or warranty regarding the environmental or physical condition of the Premises.

Real Estate taxes, which are assessed on a regular annual basis, will be adjusted as of Settlement, to the date of transfer of title. All other taxes, assessments, and levies of any kind, will be adjusted pursuant to the provisions of Real Property Article, Section 14-104, Annotated Code of Maryland, as amended.

All expenses for examination of title, survey, and recording conveyance, including any transfer taxes, shall be paid by Grantee.

All loss or damage to any improvements on the Premises, whether by fire or other casualty, shall be at the risk of Seller, until Settlement.

Full possession of the Premises shall be given at time of Settlement, unless special arrangements to the contrary have been made prior thereto.

All lease agreements applicable to the Premises, shall be assigned to Grantee at Settlement. However, copies of said Leases shall be provided by Seller to Buyer upon execution of this Purchase/Sale Contract.

It is further agreed that the consideration recited herein is complete payment for the right, title and interest of Grantor in and to the Premises, that such consideration includes the title and interests of any Lessee, Tenant or other parties, as well as Seller; that the condition of the Premises has been considered in determination thereof; and that Grantee herein shall assume the responsibility of satisfying rights of any Lessees, Tenants or other parties under such Leases on the Premises, in accordance with the assignment above.

is understood and agreed between Buyer and Seller that this Purchase/Sale Contract is subject to approval by the Board of Public Works, State of Maryland. Buyer agrees to submit the Contract, for such approval, within ten (10) days of the execution hereof by both parties, and to diligently promote and progress the application.

This Purchase/Sale Contract shall be binding upon the parties hereto, and their respective successors and assigns. This Purchase/Sale Contract contains the entire understanding between the parties hereto.

As Witness, the hands and seals of the parties hereto:

Witness(es):

CSX TRANSPORTATION, INC.

By: Donald T. Nichols
Senior Vice President

Title: ______________________

Attest: ______________________
Assistant Secretary

STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES

Witness(es)

M.F. Wilkerson Jr.

____

By: ______________________
Michael J. Nelson

Title: Assistant Secretary

Approved as to form and legal sufficiency:

____
Assistant Attorney General

Date: ______________________

Approved by Board of Public Works of the State of Maryland, at a meeting held on the ________ day of ______________________, 1991:

Witness(es):

____
Secretary

____
Governor

____
Comptroller

____
Treasurer

Carr, Steve

From: Carr, Steve

Sent: Wednesday, August 29, 2012 8:06 AM

To: Saunders, Kristin M

Cc: Lowe, Sally; Wilson, John F.; Ward, Lisa

Subject: Civil War Rail Trail Follow-up

I just wanted to mention a couple of things that were not discussed, or perhaps needed clarification, at our 8/27 meeting on the Civil War Rail Trail with the Secretary.

1. We need to have a meeting to discuss:
    A. How best to deal with the ownership issue
    B. Access for adjacent owners
    C. Encroachment

2. Given that all of these issues basically involve ***policy*** decisions, attendees should include: John Griffin, Olivia Campbell, Kristin Saunders, Sally Lowe, and John Wilson. Dan Spedden, our land manager in that area, might also be able to provide invaluable background as these policy matters are discussed. Dan knows the lay of the land better than anyone and was involved in the first attempt to build the trail. His insight into the encroachment and access issues would be beneficial.

3. After a request in October 1993, from former Delegate Poole, the State Attorney General's Office wrote a letter stating that the original 1984 railroad charter had guaranteed access across the railroad for local residents, and that this charter applied to the present despite the change of ownership. **DNR attorneys disagreed**. As far as I can tell, the matter was never resolved.

4. On April 5, 1994, delegate Poole sent adjacent property owners a letter suggesting that they submit a written requestf or right-of-way recognition to the DNR. Poole said, "In order to monitor DNR's response to each landowner, please report any problems or unreasonable delays in the process of your request by DNR." **There is no record that any property owner ever contacted DNR**.

5. The Heidi Welsh doctoral thesis we have been using to provide background on the trail is silent on the issue of Comptroller Goldstein's concerns relative to CSX ownership at the time of purchase. It would behoove us to find out what the Board of Public Works transcripts said at that time and what the specific concerns were. This, in turn, may provide guidance on what actions, if any, DNR might like to take relative to CSX's letter that they would refund the money if the deeds were declared invalid within 10 years.

6. Ultimately, we need to determine what the goal is for this property. And we need to look at the trail realistically. Even if we own the land, and even if everyone supported the trail, the likelihood of it being built in the next 20 years is questionable. In addition, the trail ends nearly 2 miles from Hagerstown and that connection would need to be made in order for the trail to make sense and enhance funding opportunities. The last two miles have multiple problems, including the Hagerstown Prison and an active rail line. The funding for the trail would be on the order of $15-$30 million dollars. Given the available funding that can reasonably be expected, this is a very expensive project that would take **decades** to complete.

7. I was recently contacted by Michael Jackson at MDOT, who is working with the feds on having MD34 designated as a National Scenic Byway. This road parallels the rail line, has wide shoulders, could immediately be designated and signed as the Civil War Bike Trail, and meet the needs of most -- but not novice -- bike riders. I think we should explore developing an on-road trail, utilizing the roads that access federal and state land units, including the three Civil War sites - South Mountain, Antietam, and Harpers Ferry.

Cheers!

Carr, Steve

[redacted]

From: Carr, Steve
Sent: Wednesday, August 29, 2012 8:06 AM
To: Saunders, Kristin M
Cc: Lowe, Sally; Wilson, John F.; Ward, Lisa
Subject: Civil War Rail Trail Follow-up

I just wanted to mention a couple of things that were not discussed, or perhaps needed clarification, at our 8/27 meeting on the Civil War Rail Trail with the Secretary.

1. We need to have a meeting to discuss:
    - A. How best to deal with the ownership issue
    - B. Access for adjacent owners
    - C. Encroachment

2. Given that all of these issues basically involve ***policy*** decisions, attendees should include: John Griffin, Olivia Campbell, Kristin Saunders, Sally Lowe, and John Wilson. Dan Spedden, our land manager in that area, might also be able to provide invaluable background as these policy matters are discussed. Dan knows the lay of the land better than anyone and was involved in the first attempt to build the trail. His insight into the encroachment and access issues would be beneficial.

3. After a request in October 1993, from former Delegate Poole, the State Attorney General's Office wrote a letter stating that the original 1984 railroad charter had guaranteed access across the railroad for local residents, and that this charter applied to the present despite the change of ownership. **DNR attorneys disagreed**. As far as I can tell, the matter was never resolved.

4. On April 5, 1994, delegate Poole sent adjacent property owners a letter suggesting that they submit a written requestf or right-of-way recognition to the DNR. Poole said, "In order to monitor DNR's response to each landowner, please report any problems or unreasonable delays in the process of your request by DNR." **There is no record that any property owner ever contacted DNR**.

MARYLAND
OFFICE OF PLANNING
301 W. PRESTON STREET
BALTIMORE, MARYLAND 21201-2365

WILLIAM DONALD SCHAEFER
GOVERNOR

RONALD KREITNER
ACTING DIRECTOR

October 2, 1989

Ms. Tamera Thiel
Land Planning Services
Department of Natural Resources
2012 Industrial Drive
Annapolis, Maryland 21401

Dear Tamera:

Thank you for the opportunity to review the draft of the Maryland Rails-to-Trails Study. While it is an exciting concept, I know the scope and complexity of the subject was difficult to put in perspective. You are to be commended for the thoroughness and focus you were able to bring to the topic.

Your recommendations seem to accurately pinpoint the steps to be taken in order for Maryland to have a successful Rails-to-Trails program. While I agree with most of the points presented, I have drafted a few comments concerning the presentation of the recommendations you may want to consider.

1) Recommendation #3 - In discussing funding for Rails-to-Trails you recommend: "Until the current cap placed on POS is removed...funds be programmed for Rails-to-Trails acquisition and development." It would be a stronger statement to remove any mention of lifting the cap, thus keeping funds for Rails-to-Trails a line item regardless of the outcome of legislation. The comment about placing Rails-to-Trails pressure on existing programs unless the cap is removed, while this may be true, gives the impression you are somehow willing to accept a Rails-to-Trails program as a lesser priority.

2) Recommendation #5 - You recommend that the State make it mandatory that local zoning regulations prevent development on former rail corridors. While this would be an ideal tool to assist in maintaining rights-of-way, the probability of the State taking such an action is unlikely. The recommendation may receive better acceptance if the recommendation is for the State to encourage local jurisdictions to take such an action and offer assistance to the counties in developing methods to do so.

RECEIVED OCT 04 1989

3) Recommendation #4 - I agree that Federal Bikeway Funds would appear to be appropriate for Rails-to-Trails projects. What I am not sure of is why DOT has not used these funds in the past. Does DOT have its own reasons for not using these funds or is it a matter of awareness, competition for funds or a reason of project eligibility? Depending on the answer, is this statement too strong as an independent recommendation and may it be just as effective as a part of recommendation #3 or #2?

4) Recommendation #7, Project #9 - When discussing Washington County, I suggest you delete any information concerning the County's opposition to this project in 1980. In recommending this project, it gives the impression the wishes of the County will not be considered. Instead you may want to add a statement as to how DNR will actively work with the County in planning this project.

Again, thanks for asking our input on the draft. Its a worthwhile program and the study gives good direction and reasoning for implementation. If you should have any questions concerning our comments, please do not hesitate to call.

Sincerely,

Pat

Patricia Goucher

cc: Roland English
Joe Tassone

PG:bet

10/18

TAMARA,
FYI / FILE
B

Maryland Department of Natural Resources

Tidewater Administration
Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401

William Donald Schaefer
Governor

Torrey C. Brown, M.D.
Secretary

October 11, 1989

Memorandum

To: Bob Beckett, Director
Land Planning Services

From: James M. Teitt, Director
Power Plant and Environmental Review Division

Subject: Maryland Rails-to-Trails

Tidewater Administration has reviewed the draft Maryland Rails-to-Trails Study prepared by your Office. The purpose of the study is to examine railroad rights-of-way within the State and their potential for conversion to multi-recreational use through the railroad abandonment process.

We commend your Office for a thorough examination of this issue, including an in-depth description of the classification and current status of Maryland's rail corridors and the railroad abandonment process. Relative to subject of railroad abandonments, proposed abandonments within the coastal counties are reviewed by our Office for consistency with the Maryland Coastal Zone Management Program. We are notified of proposed abandonments through the State Clearinghouse and/or directly from the railroad operator. All future abandonment proposals received will be coordinated with your Office for an examination of the potential conversion to recreational use upon abandonment. Federal Consistency provides an additional negotiating mechanism prior to approval by the ICC.

If you have any questions, please contact me or Elder Ghigiarelli, Jr., of my staff at X-2788.

JMT:EAG:swp

Telephone: (301) 974-2261
DNR TTY for Deaf: 301-974-3683

RECEIVED OCT 1 3 1989

12995 - 2012

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*
John R. Griffin, *Secretary*
Joseph P. Gill, *Deputy Secretary*

October 26, 2012

The Honorable Christopher B. Shank
The Senate of Maryland
James Senate Office Building
11 Bladen Street, Room 402
Annapolis MD 21401

Chris
Dear Senator Shank:

Thank you for your letter informing me of your concerns regarding the former rail bed in southern Washington County. The Department of Natural Resources (DNR) has in the past tried to support the requests we have received from the Washington County Commissioners regarding the historic railroad right-of-way, and we share your desire to see this long-standing issue resolved.

As a necessary first step, I have directed my staff to review the entire ownership question and we will notify you of our findings as soon as this internal legal and operational review is completed. From our past experience with the Western Rail Trail and the Torrey C. Brown Trail, I can tell you that these railroad alignments and encroachments are very complex and time consuming issues to sort out.

As part of this ownership review, it would be helpful if you could ask your constituents who have any definitive title and deed information to please share those documents with DNR so we can consider this information in our analysis. They can send their legal documents to:

Mr. Steve Carr
Land Acquisition & Planning
Tawes State Office Building
580 Taylor Avenue, E-4
Annapolis, MD 21401

Thank you again for your letter. If I may be of further assistance on this or any other matter, please do not hesitate to contact me. For additional information please feel free to contact Assistant Secretary Kristin Saunders at 410-260-8106.

Sincerely,

John R. Griffin
Secretary

cc: Kristin M. Saunders, Assistant Secretary, DNR Land Resources
Steve Carr, DNR Land Acquisition & Planning

Tawes State Office Building – 580 Taylor Avenue – Annapolis, Maryland 21401
410-260-8DNR or toll free in Maryland 877-620-8DNR – www.dnr.maryland.gov – TTY Users Call via the Maryland Relay

D. BRUCE POOLE
~~MAJORITY LEADER~~
DISTRICT 3-A
WASHINGTON COUNTY
APPROPRIATIONS COMMITTEE

HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401-1991

PLEASE RESPOND TO:
☐ SUITE 426 LOWE HOUSE BUILDING
ANNAPOLIS, MARYLAND 21401-1991
(410) 841-3451 OR (410) 841-3464
1-800-492-7122
☑ 9743 BEAVER CREEK CHURCH ROAD
HAGERSTOWN, MARYLAND 21742
(301) 739-6409

December 22, 1993

TORREY C. BROWN, M.D.
SECRETARY
MARYLAND DEPARTMENT OF
NATURAL RESOURCES
TAWES STATE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401

RE: RAILS TO TRAILS

Dear ~~Secretary Brown~~ Torrey:

Thank you for sending me a copy of the letter and memorandum you sent to Commissioner Roulette concerning the Department's Rails-to-Trails project in my district. I have reviewed the memorandum and believe that it does not reflect at all some of the commitments you gave at the August 24 meeting, does not deal in an effective way with the concerns raised and is too vague in other respects for it to be meaningful. I welcome your sensitivity about exceeding the powers granted to the Department by the General Assembly, but I believe that all of the concerns I outline below are within the Department's authority to remedy.

Let me outline for you my major concerns. First, you categorically stated at the meeting that if the people of Washington County did not want the trail to be developed, DNR would not do so. That commitment is not reflected at all in the memorandum. It seems to me that the memorandum should state that DNR will not begin planning, request funds for development, engage in development, or permit others to do so until DNR receives a request at each stage from the Washington County Commissioners and possibly the delegation. This is entirely consistent with the statutory requirement that DNR "work with...local governments" on Rails to Trails projects.

Second, the provisions concerning the rights of access of adjoining landowners are too vague. There is no indication what is meant by "custom and usage" or by the "laws" that might require the Department to acknowledge a right of an adjoining landowner. What are the standards of the Department? Does the Department agree that the 1864 law applies to it? Will the Department refrain from any acts that would diminish rights under that law? This is one of the most important aspects of the agreement, but the language you provided essentially says nothing.

Third, the provisions concerning development leave several gaping holes. The language provided concerns the Department's requests for funds. However, many, if not most, such projects are funded through highway enhancement funds or through nongovernmental groups, such as bicycle or horse clubs. The development provisions should apply to any development regardless of the source of funds or who does the development.

Fourth, any request for funds to do planning should be made under the same terms as a request for funds to develop. Further, DNR should commit not only to notify the Commissioners, the delegation and interested parties about the planning process, but to consider and respond to their comments about the process.

Fifth the provisions concerning interim maintenance need to be expanded. The Department should acknowledge its obligation to remove trash, at least when requested to do so by an adjoining landowner. It should agree to erect vehicular barriers when requested by an adjoining landowner and that the existing practice of adjoining landowners erecting barriers in the absence of DNR doing so should be permitted. It should acknowledge its obligation to control noxious weeds and it does not do so, adjoining landowners should be permitted to do so without the sort of restrictions contained in the "Right of Entry" the Department executed with the Burtners.

Sixth, several members of the delegation and, I believe, the Commissioners envisioned a more active role for a citizen's oversight committee than the memorandum outlines. In fact, the memorandum merely states the obvious, that the Commissioners and the delegation may consult with their constituents. I believe that a group of local citizens could be an asset in resolving any disputes and repairing DNR's seriously damaged image. The group should be chosen by the Commissioners, the delegation or by election and given timely information about problems with the plans for the railbed.

Seventh, the language in the "Premises" stating that DNR "lawfully acquired" the railbed needlessly injects those issues into this memorandum. There is little doubt that DNR did not follow the law. Further, several landowners maintain that the railbed reverted to them and there are indications in the documentation that some portions of the railbed did indeed revert when the railroad was abandoned. I recommend that this language be dropped.

I would be happy to provide you with specific language on these issues if you agree to these suggestions.

Sincerely,

D. Bruce Poole
Delegate
District 3-A

DBP/pas
cc: Ralph France, Esquire
William Daily, Esquire

Carr, Steve

From: Kroboth, Joe [JKroboth@washco-md.net]
Sent: Saturday, April 14, 2012 4:04 PM
To: Carr, Steve
Cc: Rodney Tissue; Dick Cushwa
Subject: Fwd: rail trail

Steve

Please see the email below from one of our County Commissioners. Do you have any background or knowledge of this issue?

Thanks

Joe

Sent from my iPhone

Begin forwarded message:

From: "Callaham, Ruth A." <rcallaham@washco-md.net<mailto:rcallaham@washco-md.net>>
Date: April 14, 2012 3:44:51 PM EDT
To: Richard Cushwa <rcushwa@msn.com<mailto:rcushwa@msn.com>>, "Kroboth, Joe" <JKroboth@washco-md.net<mailto:JKroboth@washco-md.net>>, "Murray, Greg" <GMurray@washco-md.net<mailto:GMurray@washco-md.net>>
Subject: rail trail

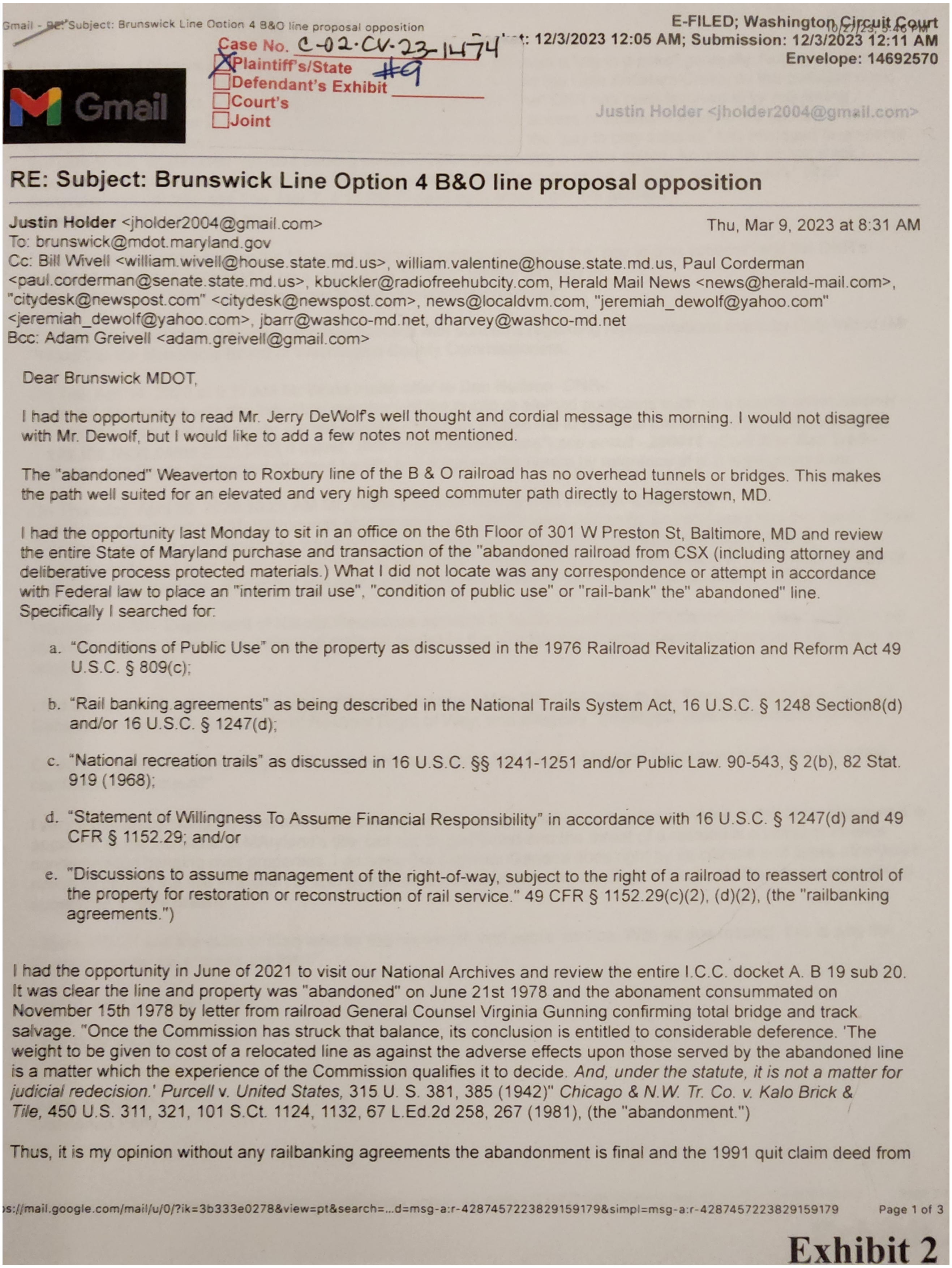
Folks ... this weekend I spoke with a couple of land owners in South County. They indicated that they had proof that the B&O land was not properly conveyed to the railroad at its initial construction (19th century ??) Further that they are already working with a local land use attorney who has said they will prevail in the courts.

Is there someway to validate that before too much work and funds are spent on the study process?

thanks
ruth anne

Ruth Anne Callaham
Washington County Board of County Commissioners
(office) 240-313-2209
(home) 301-393-4466
rcallaham@washco-md.net<mailto:rcallaham@washco-md.net>
"Let there be peace on earth, and let it begin with me."
Sir Harry Donald Secombe

Provide us w/ proof
we can have our
AG's office review
otherwise we'll see
you in court



E-FILED; Washington Circuit Court
D[illegible]t: 12/3/2023 12:05 AM; Submission: 12/3/2023 12:11 AM
Envelope: 14692570

Case No. C-02-CV-23-1474
☒ Plaintiff's/State #9
☐ Defendant's Exhibit
☐ Court's
☐ Joint

Justin Holder <jholder2004@gmail.com>

RE: Subject: Brunswick Line Option 4 B&O line proposal opposition

Justin Holder <jholder2004@gmail.com> Thu, Mar 9, 2023 at 8:31 AM
To: brunswick@mdot.maryland.gov
Cc: Bill Wivell <william.wivell@house.state.md.us>, william.valentine@house.state.md.us, Paul Corderman <paul.corderman@senate.state.md.us>, kbuckler@radiofreehubcity.com, Herald Mail News <news@herald-mail.com>, "citydesk@newspost.com" <citydesk@newspost.com>, news@localdvm.com, "jeremiah_dewolf@yahoo.com" <jeremiah_dewolf@yahoo.com>, jbarr@washco-md.net, dharvey@washco-md.net
Bcc: Adam Greivell <adam.greivell@gmail.com>

Dear Brunswick MDOT,

I had the opportunity to read Mr. Jerry DeWolf's well thought and cordial message this morning. I would not disagree with Mr. Dewolf, but I would like to add a few notes not mentioned.

The "abandoned" Weaverton to Roxbury line of the B & O railroad has no overhead tunnels or bridges. This makes the path well suited for an elevated and very high speed commuter path directly to Hagerstown, MD.

I had the opportunity last Monday to sit in an office on the 6th Floor of 301 W Preston St, Baltimore, MD and review the entire State of Maryland purchase and transaction of the "abandoned railroad from CSX (including attorney and deliberative process protected materials.) What I did not locate was any correspondence or attempt in accordance with Federal law to place an "interim trail use", "condition of public use" or "rail-bank" the" abandoned" line. Specifically I searched for:

a. "Conditions of Public Use" on the property as discussed in the 1976 Railroad Revitalization and Reform Act 49 U.S.C. § 809(c);

b. "Rail banking agreements" as being described in the National Trails System Act, 16 U.S.C. § 1248 Section8(d) and/or 16 U.S.C. § 1247(d);

c. "National recreation trails" as discussed in 16 U.S.C. §§ 1241-1251 and/or Public Law. 90-543, § 2(b), 82 Stat. 919 (1968);

d. "Statement of Willingness To Assume Financial Responsibility" in accordance with 16 U.S.C. § 1247(d) and 49 CFR § 1152.29; and/or

e. "Discussions to assume management of the right-of-way, subject to the right of a railroad to reassert control of the property for restoration or reconstruction of rail service." 49 CFR § 1152.29(c)(2), (d)(2), (the "railbanking agreements.")

I had the opportunity in June of 2021 to visit our National Archives and review the entire I.C.C. docket A. B 19 sub 20. It was clear the line and property was "abandoned" on June 21st 1978 and the abonament consummated on November 15th 1978 by letter from railroad General Counsel Virginia Gunning confirming total bridge and track salvage. "Once the Commission has struck that balance, its conclusion is entitled to considerable deference. 'The weight to be given to cost of a relocated line as against the adverse effects upon those served by the abandoned line is a matter which the experience of the Commission qualifies it to decide. *And, under the statute, it is not a matter for judicial redecision.' Purcell* v. *United States,* 315 U. S. 381, 385 (1942)" *Chicago & N.W. Tr. Co. v. Kalo Brick & Tile,* 450 U.S. 311, 321, 101 S.Ct. 1124, 1132, 67 L.Ed.2d 258, 267 (1981), (the "abandonment.")

Thus, it is my opinion without any railbanking agreements the abandonment is final and the 1991 quit claim deed from

Exhibit 2

Gmail

Justin Holder <jholder2004@gmail.com>

RE: Subject: Brunswick Line Option 4 B&O line proposal opposition

---

Justin Holder <jholder2004@gmail.com> Thu, Mar 9, 2023 at 8:31 AM
To: brunswick@mdot.maryland.gov
Cc: Bill Wivell <william.wivell@house.state.md.us>, william.valentine@house.state.md.us, Paul Corderman <paul.corderman@senate.state.md.us>, kbuckler@radiofreehubcity.com, Herald Mail News <news@herald-mail.com>, "citydesk@newspost.com" <citydesk@newspost.com>, news@localdvm.com, "jeremiah_dewolf@yahoo.com" <jeremiah_dewolf@yahoo.com>, jbarr@washco-md.net, dharvey@washco-md.net
Bcc: Adam Greivell <adam.greivell@gmail.com>

Dear Brunswick MDOT,

I had the opportunity to read Mr. Jerry DeWolf's well thought and cordial message this morning. I would not disagree with Mr. Dewolf, but I would like to add a few notes not mentioned.

The "abandoned" Weaverton to Roxbury line of the B & O railroad has no overhead tunnels or bridges. This makes the path well suited for an elevated and very high speed commuter path directly to Hagerstown, MD.

I had the opportunity last Monday to sit in an office on the 6th Floor of 301 W Preston St, Baltimore, MD and review the entire State of Maryland purchase and transaction of the "abandoned railroad from CSX (including attorney and deliberative process protected materials.) What I did not locate was any correspondence or attempt in accordance with Federal law to place an "interim trail use", "condition of public use" or "rail-bank" the" abandoned" line. Specifically I searched for:

a. “Conditions of Public Use” on the property as discussed in the 1976 Railroad Revitalization and Reform Act 49 U.S.C. § 809(c);

b. “Rail banking agreements" as being described in the National Trails System Act, 16 U.S.C. § 1248 Section8(d) and/or 16 U.S.C. § 1247(d);

c. “National recreation trails” as discussed in 16 U.S.C. §§ 1241-1251 and/or Public Law. 90-543, § 2(b), 82 Stat. 919 (1968);

d. “Statement of Willingness To Assume Financial Responsibility” in accordance with 16 U.S.C. § 1247(d) and 49 CFR § 1152.29; and/or

e. "Discussions to assume management of the right-of-way, subject to the right of a railroad to reassert control of the property for restoration or reconstruction of rail service." 49 CFR § 1152.29(c)(2), (d)(2), (the "railbanking agreements.")

I had the opportunity in June of 2021 to visit our National Archives and review the entire I.C.C. docket A. B 19 sub 20. It was clear the line and property was "abandoned" on June 21st 1978 and the abonament consummated on November 15th 1978 by letter from railroad General Counsel Virginia Gunning confirming total bridge and track salvage. "Once the Commission has struck that balance, its conclusion is entitled to considerable deference. 'The weight to be given to cost of a relocated line as against the adverse effects upon those served by the abandoned line is a matter which the experience of the Commission qualifies it to decide. *And, under the statute, it is not a matter for judicial redecision.*' *Purcell* v. *United States,* 315 U. S. 381, 385 (1942)" *Chicago & N.W. Tr. Co. v. Kalo Brick & Tile,* 450 U.S. 311, 321, 101 S.Ct. 1124, 1132, 67 L.Ed.2d 258, 267 (1981), (the "abandonment.")

Thus, it is my opinion without any railbanking agreements the abandonment is final and the 1991 quit claim deed from

Exhibit 2

CSX to State of Maryland to the use of DNR (the "quitclaim deed") was a "pig in a poke" generally. Noting there are 4 fee simple deeds in downtown Keedysville in between Md. Rt 34 and the Little Antietam Creek, so the quitclaim deed did transfer some rights. What is apparent is the "pay to play scheme" DNR has been involved in by requesting abutting property owners recognize DNR as owner in exchange for access or utilities is again in my opinion a "taking" and not any form of *estoppel* or property transfer. More importantly the "pay to play scheme" has managed to preserve the path of the "abandoned" railroad making condemnation proceeding a viable option. As recently as last week I discussed the "pay to play scheme" with MDOT insomuch MDOT's study relied on SDAT data to "verify" DNR ownership and not title, *see* Thu, Mar 2, 4:13 PM (7 days ago) email from this address to amaes1@mdot.maryland.gov.

I have requested redress from the Maryland Attorney General regarding the "pay to play scheme" and the DNR's participation in what appeared to be a conspiracy to "take" private property in a Mar 6, 2023, 11:47 PM (3 days ago) email to Talley.Kovacs@Maryland.gov:

"I write to the Honorable Assistant Attorney General with concerns regarding representations made by Chip Wood (Mr. "Wood") to the Honorable Board of Washington County Commissioners.

On Tue, Apr 14, 2020 at 9 11 AM Mr Wood made offer to Dan Hudson -DNR-:

> 'In my discussions with the individual members of the public or elected politicians such as a county commissioner – I can cite 'facts' that technically are not precise – but they enable me to continue the discussion – **although I will say the facts came from DNR** if asked.' (the "misrepresentations") *see* ***email - 200411 - Civil War Rail Trail--Excessive Costs_Redacted*** attached hereto and incorporated herein by reference at p. 3 highlighted area.

On Thursday, April 30, 2020 10:25 AM Mr. Wood was informed by Dan Hudson -DNR- that:

> 'Actually prior to retiring Mr Wilson was able to work with DNR's legal staff to do an initial pass thru the deeds. Their findings were not as optimistic as yours with only **a small handful of the individual parcels held fee-simple** and **most with no documentation at all.** ', (the "material fact(s)") *see* ***RE Civil War Rail Trail -- Property Ownership Disputes_Redacted*** attached hereto and incorporated herein by reference at p. 1 highlighted area.

However the Md. Department of Natural Resources appears to tacitly stand by and remain deliberately indifferent as Mr. Wood makes misrepresentations of material fact(s) to the Washington County Commissioners and the Public 'writ large.

I find this behavior concerning given the Attorney General's May 6th 1994 letter to Mr. Frank Bolton of Md. Dept. of General Services, RE: Weaverton to Roxbury Right of Way; and allegedly "privileged" statements made therein.

Could the Honorable Asst. Attorney General who represents Md. Dept. of Natural Resources kindly provide some clarification or redress?"

I very much enjoy riding my bike and appreciate all of the recreational opportunities provided in the area. However it is apparent to me the State of MAryland's title can not be perfected and the threat of a railroad is a threat of inverse condemnation hanging over properties. I do hope the Attorney General does right by its citizens and takes affirmative action to perfect the title in a court of law, or institutes condemnation proceedings if it is to continue to pursue what is apparently a "pipe dream."

I thank MDOT and the state or Maryland for the hard work and public service. With all due respect, this is why the libertarian party says "taxes are theft."

Please have a wonderful day.

Very Truly Yours,

Justin K. Holder
Libertarian Party

Exhibit 2

“'The nine most terrifying words in the English language are, ‘“I'm from the government and I'm here to help.”’— Ronald Reagan, 40th President of the United States, News Conference (12 August 1986).” *Litz v. Maryland Dept. of Environment,* 131 A.3d 923, 924 446 Md. 254 (2016).

Exhibit 2

Gmail Justin Holder <jholder2004@gmail.com>

RE: Subject: Brunswick Line Option 4 B&O line proposal opposition

---

MARC Brunswick Line <Brunswick@mdot.maryland.gov> Mon, Mar 13, 2023 at 9:37 AM
To: Justin Holder <jholder2004@gmail.com>

Good morning Justin - thank you for your comments on the Brunswick Line Expansion Study Technical Report, particularly the Western Maryland Options. This work is the first step in evaluating the feasibility of various alignment options to extend MARC service into Western Maryland. The Technical Report has deemed Option 4 to be the least feasible as the rail right-of-way does not exist anymore and property acquisition will be extremely challenging. We look forward to continuing the conversations with stakeholders as we move through the process.

Sincerely,
The Brunswick Study Team

From: Justin Holder <jholder2004@gmail.com>
Sent: Thursday, March 9, 2023 1:31 PM
To: MARC Brunswick Line <Brunswick@mdot.maryland.gov>
Cc: Bill Wivell <william.wivell@house.state.md.us>; william.valentine@house.state.md.us <william.valentine@house.state.md.us>; Paul Corderman <paul.corderman@senate.state.md.us>; kbuckler@radiofreehubcity.com <kbuckler@radiofreehubcity.com>; Herald Mail -- News Desk <news@herald-mail.com>; citydesk@newspost.com <citydesk@newspost.com>; news@localdvm.com <news@localdvm.com>; jeremiah_dewolf@yahoo.com <jeremiah_dewolf@yahoo.com>; jbarr@washco-md.net <jbarr@washco-md.net>; dharvey@washco-md.net <dharvey@washco-md.net>
Subject: RE: Subject: Brunswick Line Option 4 B&O line proposal opposition

[Quoted text hidden]

Exhibit 2

E-FILED; Anne Arundel Circuit Court
Docket: 1/20/2023 9:46 PM; Submission: 1/20/2023 9:46 PM

IN THE CIRCUIT COURT OF MARYLAND FOR ANNE ARUNDEL COUNTY

JUSTIN HOLDER

Plaintiff

v.

The State of Maryland,
DEPARTMENT OF NATURAL RESOURCES
580 Taylor Avenue
Annapolis, MD 21401
Serve On: Brian Frosh, Attorney General
200 St Paul Place
Baltimore, MD 21202
Civil_Service@oag.state.md.us

and

ANTHONY BURROWS,
Public Information Act Coordinator,
MD Dept. of Natural Resources
580 Taylor Avenue, D-4
Annapolis, Maryland 21401

Defendant(s)

CASE NO.: C-02-CV-22-001474

* *

THIRD AMENDED COMPLAINT

Plaintiff Justin Kyle Holder ("Mr. Holder"), in proper person, hereby files this Third Amended Complaint against Defendants Maryland Department of Natural Resources and Anthony Burrows, and in support thereof alleges as follows:

PARTIES, JURISDICTION AND VENUE

1. Mr. Holder is an adult resident of the State of Maryland.
2. Mr. Holder is an "applicant" as defined by Maryland Code Ann., General Provisions Article ("GP") § 4-101(b) since he asked Defendants to inspect certain public records, as that term is defined by GP §4-101(j).

3. Defendant MD Department of Natural Resources (the "MDNR") is a State Governmental Unit with a mailing address in Anne Arundel County, Maryland.
4. Anthony Burrows ("Burrows"), is the Public Information Act Coordinator for the MDNR. At all times relevant to this Complaint, Burrows has been listed as the contact for MDNR in the Maryland Public Information Act Manual ("MPIA Manual"). Burrows is/was the official custodian, as defined by GP§4-101(i), for the public records of MDNR since he is an officer or employee of Defendant MDNR who is responsible for keeping a public record whether or not the officer or employee has physical custody and control of the public record. Under the Maryland Public Information Act, Burrows, as the custodian of the public records, is/was responsible for receiving and responding on behalf of Defendant MDNR to requests for public records made pursuant to the Maryland Public Information Act.
5. Jurisdiction is proper in the State of Maryland under MD. CODE ANN. CTS. & JUD. PROC. § 6-103 because all Defendants transact business in this State.
6. Venue is proper in the Circuit Court for Anne Arundel County, Maryland pursuant to MD. CODE ANN. CTS. & JUD. PROC. § 6-201 and 6-202 because Defendants carry on regular business in Anne Arundel County and because Mr. Holder's claim arose from acts or conduct that occurred in Anne Arundel County, Maryland. Moreover, this Court has jurisdiction over this matter pursuant to GP § 4-362 because Defendant MDNR is the legal custodian of the public records at issue in this lawsuit, the public records at issue in this lawsuit are located within Anne Arundel County, Defendant MDNR maintains its primary place of business at 580 Taylor Avenue, Annapolis, MD 21401, is a

legal resident of Anne Arundel County, Maryland, and is amenable to service of process in Anne Arundel County.

FACTS IN SUPPORT OF PLAINTIFF'S ALLEGATIONS

7. Mr. Holder incorporates by reference the allegations set forth in the preceding paragraphs of this Complaint as if fully stated herein.

8. On Tue, May 24, 2022 at 3:19 PM Mr. Holder made a request for Public Information to Burrows by email from <jholder2004@gmail.com> to <pia.dnr@maryland.gov> subject "W/ Fw/ Follow-Up - Justin Holder PIA Request" renewing/modifying a July 1st, 2020 Maryland Public Information Request that had been mediated by the Ombudsman:

> "In the dnr rail corridor known as the weaverton Roxbury rail and trail,, located in washington county maryland, please provide all agreements with abutting land owners, or other parties in which the dnr or state has agreed to usage, maintenance, driving on state land. Please provide any agreement with Mary ironside for property owners to mow, drive on or plant crops on state property in General. Specifically Austin flook, provide an agreement that allows him or his agents to farm the land and use it as a farm lane, Jeff young provide the agreement that allows him to use the corridor as a farm lane, the property owners on mt briar and trees road. Provide the agreement in which they use the corridor as a driveway, parking lot, put fence through it, and place buildings and sheds on it. I do have photos and videos of all of this.
>
> If no agreement s are in place please provide the complaint, cease and desist demand letters or fines residents abutting the weaverton Roxbury rail and trail have been sent in the last 5 years."
>
> (the "070120" Maryland Public Information Act request.)

to allow inspection of additional records responsive to the 070120 request:

> "I am very appreciative of the email search in good faith to conclude mediation, there is additional correspondence that would responsive to the **INITIAL REQUEST MPIA 070120:**

> ‘Typically when Mr. Flook would like the Department of Natural Resources to interfere with other property owners to block development, Mr. Flook has his attorney Bruce D. Poole, Esq, wrote a letter stating his interest in the "viewpoints" or "visual buffer" area around his farm. Mr. Flook uses a letter he received from the Maryland film institute and/or his conservation easement as justification to interfere with other property development. Mr. Flook communicated his interest and while typically communicated through Bruce D. Poole, the interest may also have been communicated through Richard Bishop.
>
> As evidence of an agreement between abutting landowners with DNR. I am again kindly requesting redress and compliance with the sunshine laws of our state.
>
> Please provide a Formal response to my" **INITIAL REQUEST MPIA 070120:"**, as I have only been provided a “draft"’
>
> (the “052422” Maryland Public Information Act request.)

9. On Wed, May 25, 2022 at 10:50 AM Burrows responded to the 052422 request: “Thanks for the background information. Allow me some time to review and get familiar with the history. I'll reach back out soon.”

10. On Thu, Jun 30, 2022 at 3:23 PM, and not having ANY response from Burrows, Mr. Holder wrote back to Burrows: “Good Afternoon. It has been a little over a month since you requested ‘Allow me some time to review and get familiar with the history.’. I had made this request in early July 2020. Please provide the records I requested in accordance with the Public Information Act.”

11. On Fri, Jul 1, 2022 at 9:52 AM Burrows replied by email to Mr. Holder: “I have been working on your request. I wanted to chat with Gene Deems, which I have done. I've reached out to folks about getting some information for you” (the “070722 request.”)

12. On Fri, Jul 1, 2022 at 2:14 PM Mr. Holder responded to Burrows by email: “Thank you kindly. Please let me know what you come up with. Enjoy the Holiday weekend.”

13. On Tue, Jul 12, 2022 at 9:40 AM and having no other communication from Burrows, Mr. Holder wrote an email to Burrows:

> "On Fri, Jul 1, 2022 at 9:53 AM you represented that 'I've reached out to folks about getting some information for you.'. 10 days have passed and I would like to obtain that information.
>
> There was a public hearing in 1992 or 1993 regarding the Weaverton to Roxbury rail trail plan, Mr. Austin Flook and Jeffrey Young appeared at the meeting. The DNR should have records of that meeting and communication.
>
> Please keep me posted and provide a date when you expect to complete my request this month."

14. On Mon, Jul 18, 2022 at 1:19 PM Burrows replied to Mr. Holder by email:

> "I am still waiting on responses. I am working with the current contact in the region to get your questions answered to the best of our ability. We've had to review the history for this situation, and it's extensive. I am doing my best, and will get you information, if it exists, as soon as possible."

15. On Sat, Jul 30, 2022 at 11:46 AM Mr. Holder wrote an email to Burrows and made a new request for Public Information (the "073022" Maryland Public Information Request):

> "Another 2 weeks have passed by. I still have not gotten the records requested over 2 years ago.
>
> I have decided to continue to work with you in good faith on the original request; and I will make an additional Public Information request for the correspondence you purportedly sent to fill this request.
>
> **Please provide the Public Records that include the inquiries that: A) you are "... still waiting on responses."; And**
>
> **B) you are ".... working with the current contact in the region to get [my] questions answered to the best of [y]our ability."**
>
> Please provide a time and cost for those records in 10 days."

16. On Mon, Aug 8, 2022 at 7:09 AM Burrows replied to Mr. Holder by email: "I hope to get information to you this week. I appreciate your continued patience with this request."

17. On Thu, Aug 11, 2022 at 12:05 PM Mr. Holder responded to Burrows by email: “I hope all is well. Are you still on track to produce the correspondence and communications related thereto by weeks end?”

18. On Fri, Aug 12, 2022 at 3:54 PM Burrows replied to Mr. Holder by email: “I have not received the documents I'd expected this week. I will reach out to the folks gathering the information and try to get a firm date for delivery.”

19. On Fri, Aug 12, 2022 at 4:01 PM Mr. Holder responded to Burrows by email: “I would ask to please also send all the communications with ‘the folks gathering the information’, I had requested those as well as a separate request.”

20. On Wed, Aug 17, 2022 at 7:37 AM and having no response or records production from Burrows, Mr. Holder wrote to Burrows by email: “I hope you enjoyed your weekend. Did you get a firm date for delivery?”

21. On Wed, Aug 17, 2022 at 5:57 PM Burrows replied to Mr. Holder by email: “I have not heard back, I will reach out again.”

22. On Wed, Aug 17, 2022 at 7:18 PM Mr. Holder wrote back to Burrows in an email:

> “I appreciate your communication and service to the Public.
>
> As custodian of Public Records you are responsible to provide transparency under the Public sunshine laws of our state.
>
> Perhaps these parties you are reaching out to, are not motivated by the same consequences the custodian is subject to.
>
> I would kindly ask again for the correspondence you are sending the other parties be provided in accordance with my MPIA request.

> I would also remind the custodian that at no time in over 2 years has my request been denied or a priveledge asserted. This leaves the failure to produce the records as willful, intentional and maliscious. The legislature in forming the MPIA was concerned enough about such a denial as to make said denial a crime.
>
> I do hope we can get this resolved this week. I wish you and the DNR well. Please enjoy your day."

23. One week later and having no response from Burrows, On Wed, Aug 24, 2022 at 9:50 PM Mr. Holder wrote to Burrows in an email:

> "Another week has passed and I have not had any response to my records request that was being produced and that you expected the week of August 12th, 2022.
>
> Is it the custodian of the Department of Natural Resources to willfully, maliciously and intentionally deny me Public Records that the custodian have not asserted any privilege, or exclusion from production thereof?
>
> I do appreciate all the work the Department and custodian does for the public. I hope the public can understands the significant public interest in the records I requested.
>
> Transparency is the lifeblood of a healthy democracy.
>
> Please let me know when I can expect the records I requested to be produced, or if the Dept. of Natural Resources asserts it does not have any responsie records acknowledge the same."

24. On Tue, Aug 30, 2022 at 9:14 AM in an email subject "MPIA ACT violation July 30th 2022 Request" Mr. Holder <jholder2004@gmail.com> wrote to Burrows <pia.dnr@maryland.gov> and copied Assistant Attorney General Talley Kovacs, Esq. <talley.kovacs@maryland.gov> kindly demanding a response to the 073022 Maryland Public Information Act Request:

> "Dear Anthony (or DNR custodian),
>
> On July 30th, 2022 I made a request to inspect Public Records as follows:

> ‘Please provide the Public Records that include the inquiries that: A) you are "... still waiting on responses."; And
>
> B) you are ".... working with the current contact in the region to get [my] questions answered to the best of [y]our ability."
>
> Please provide a time and cost for those records in 10 days.'; and
>
> as of August 30th, 2022 I have not received:
>
> A) a denial in accordance with the MD. General Provisions Code Ann. § 4-101 (2020); or
>
> B) a response to the July 30th, 2022 request.
>
> Without any further response by the weeks end (Friday September 2nd, 2022 at 5:00 PM EST.), I will have no other redress than to bring this issue of justiciable proportion before the Honorable Circuit Court of Anne Arundel County to request relief.
>
> I appreciate the work the custodian does for the public, and wish everyone at the DNR a good day.
>
> Respectfully,
>
> Justin Holder"

25. On Sun, Oct 16, 2022 at 11:10 AM in an email subject "MPIA - D Bruce Poole Correspondance" Mr. Holder <jholder2004@gmail.com> wrote to Burrows <pia.dnr@maryland.gov> and requested the publics records: "All correspondence, letters, emails, notes, memorandum and communications sent to the Department of Natural Resources from **D. Bruce Poole** from January 1st, 1987 until present[,]" (the "101722" Maryland Public Information Request.)

26. On Mon, Oct 17, 2022 at 4:22 PM Burrows <pia.dnr@maryland.gov> wrote an email to Mr. Holder <jholder2004@gmail.com> subject "Public Information Act Request #101722" kindly acknowledging the 101722 request:

> "I am responding to your public information act request #101722 which asks for...
>
> *All correspondence, letters, emails, notes, memorandum and communications sent to the Department of Natural Resources from **D. Bruce Poole** from January 1st, 1987 until present.*
>
> I write now to advise you that we have begun to process your request.
>
> We will contact you to notify you within 10 working days if there is a cost involved."

27. On Fri, Oct 28, 2022 at 8:07 PM in an email subject "MPIA - WRRT PUBLIC HEARING(S) and CORRESPONDENCE " Mr. Holder <jholder2004@gmail.com> wrote to Burrows <pia.dnr@maryland.gov> and requested the publics records: "Any and All correspondence, letters, emails, notes, memorandum, communications, transcripts, recordings, records and/or files that relate to any and all Public Meetings/hearings/discussions relating to and/or regarding the abandoned branch of the Washington County Railroad, a.k.a. Weaverton to Roxbury Rail Trail, a.k.a. Civil War Rail Trial in Washington County, Maryland[,]" (the "103122a " Maryland Public Information Request.)

28. On Mon, Oct 31, 2022 at 3:47 PM Burrows <pia.dnr@maryland.gov> wrote an email to Mr. Holder <jholder2004@gmail.com> subject "Public Information Act Request #103122a" kindly acknowledging the 103122a request:

> "The Maryland Department of Natural Resources has received your request under the Public Information Act, Md. Code Ann., Gen. Prov. ("GP") §§ 4-101–4-601, seeking records. I write now to advise you that we will begin to process it today.
>
> We will contact you to notify you within 10 working days if there is a cost involved."

29. On Fri, Oct 28, 2022 at 8:07 PM in an email subject "MPIA - WRRT PUBLIC HEARING(S) and CORRESPONDENCE " Mr. Holder <jholder2004@gmail.com> wrote to Burrows <pia.dnr@maryland.gov> that included in the 103122a Maryland Public Information Request an attached pdf document titled "THE PUBLIC INTEREST IN *BRADY* EVIDENCE" in support of the public interest of Mr. Holder's request for Public Records, specifically citing:

> "'As opposed to deflecting from his prosecutorial failure, I urge AG Frosh to 'dig a little deeper' and evaluate any other errors infringing on the rights of other Marylanders.' *Baltimore State's Attorney Marilyn Mosby*
>
> 'I think Attorney General Brian Frosh needs to speak to his office's willful decision to sit on exculpatory evidence for the last seven years,' *Baltimore State's Attorney Marilyn Mosby*
>
> 'The Attorney General has an interest in the integrity of the criminal justice system and the public's trust in that system,' *Assistant Attorney General Carrie Williams*
>
> 'Mary, if and when this matter goes to trial, please be ready to explain during your testimony why DNR feels that criminal charges are appropriate in a case where DNR cannot or will not exert its property rights in equity court. The Judge will want to know and understand that answer, because it goes to the heart of the matter. It is a real headscratcher.' *Honorable Washington County Circuit Court Judge Joseph Michael, as Deputy State's Attorney*
>
> 'An inscription on the walls of the Department of Justice states the proposition candidly for the federal domain: '**The United States wins its point whenever justice is done its citizens in the courts.**'[1] A prosecution that withholds evidence on demand of an accused which, if made available, would tend to exculpate him or reduce the penalty helps shape a trial that bears heavily on the defendant.' *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963) at p. 88."

---

[1] Judge Simon E. Sobeloff when Solicitor General put the idea as follows in an address before the Judicial Conference of the Fourth Circuit on June 29, 1954:
"The Solicitor General is not a neutral, he is an advocate; but an advocate for a client whose business is not merely to prevail in the instant case. My client's chief business is not to achieve victory but to establish justice. We are constantly reminded of the now classic words penned by one of my illustrious predecessors, Frederick William Lehmann, **that the Government wins its point when justice is done in its courts.**"

30. On Sat, Nov 12, 2022 at 11:03 AM in an email subject "MPIA - RAIL-BANKING - CONDITIONS OF PUBLIC USE " Mr. Holder <jholder2004@gmail.com> wrote to Burrows <pia.dnr@maryland.gov> and requested the publics records:

> "Any and/or All correspondence, letters, emails, notes, memorandum, communications, transcripts, recordings, records, files, documents, writings, electronically stored information, material evidence, communications, correspondence;
>
> that the **Maryland Department of Natural Resources** and/or it's agents
>
> communicated/corresponded/interacted/discussed with the Executive Branch of the United States Government, United States Congress, Maryland Legislature, Washington County Board of County Commissioners, Interstate Commerce Commission, Surface Transportation Board and/or any of the aforementioned Governmental units, agents, members and/or assigns;
>
> when conducting, transacting, discussing and/or otherwise purchasing (and/or at anytime afterwards) a quit claim to property from CSX Transportation, INC. dated September 6th, 1991 and recorded among the land records of Washington County, Maryland at Liber 1015 folio 796 (the "property");
>
> related to acquiring, transacting, negotiating or otherwise entering into any and/or all: (Citations Omitted)…(a through k being collectively classified as the "**Rail-Banking**" agreements)" (the "111422a request.")

31. On Wed, Nov 16, 2022 at 4:41 PM Burrows <pia.dnr@maryland.gov> wrote an email to Mr. Holder <jholder2004@gmail.com> subject "Public Information Act Request #111422a" kindly acknowledging the 111422a request:

> "The Maryland Department of Natural Resources has received your request under the Public Information Act, Md. Code Ann., Gen. Prov. ("GP") §§ 4-101–4-601, seeking records.
>
> I write now to advise you that we will begin to process it on the next business day.
>
> We will contact you to notify you within 8 working days (since this officially began on 11/14) if there is a cost involved."

32. On Sat, Dec 10, 2022 at 10:02 PM **Justin Holder** <jholder2004@gmail.com> sent an email subject "MPIA - Angela Mock Email Records" to Anthony Burrows, PIA DNR -DNR- <pia.dnr@maryland.gov> requesting:

> "I am writing to kindly request Public Information in accordance with MD. General Provisions Code Ann. § 4-101. Please provide the following records:
>
> Any and/or all email(s) sent and/or received (including cc, fwd, re and/or bcc) to/from Angela Mock <amanda.mock@maryland.gov> on Friday August 19th 2022 at 8:30 AM through Friday August 19th 2022 at 3:37 PM; and
>
> any and all phone records and/or call logs from the extension/office/ department cellular phone assigned/utilized by Angela Mock on Friday August 19th 2022 at 8:30 AM through Friday August 19th 2022 at 3:37 PM.
>
> Please provide a time and cost estimate in 10 days.
> Thank you in advance for all the hard work the DNR and its custodian does for the great state of Maryland[,]" (the "121122" request.)

33. On Sun, Dec 11, 2022 at 4:12 PM Anthony Burrows, PIA DNR -DNR- <pia.dnr@maryland.gov> sent an email subject "MPIA - Angela Mock Email Records" to **Justin Holder** <jholder2004@gmail.com> kindly acknowledging the 121122 request:

> "Thank you for contacting the Maryland Department of Natural Resources.
>
> The Maryland Department of Natural Resources has received your request under the Public Information Act, Md. Code Ann., Gen. Prov. ("GP") §§ 4-101– 4-601, seeking records.
>
> I write now to advise you that we will begin to process it on the next business day. We will contact you to notify you within 10 working days if there is a cost involved."

34. On Mon, Dec 19, 2022 at 8:02 PM **Justin Holder** <jholder2004@gmail.com> sent an email subject "MPIA - Correspondance to Talley Kovacs or others " to Anthony Burrows, PIA DNR -DNR- <pia.dnr@maryland.gov> cordially requesting:

> "I am writing to kindly request Public Information in accordance with MD. General Provisions Code Ann. § 4-101. Please provide the following records:
>
> **Application 1);**
>
> Any and/or all email(s) sent and/or received (including cc, fwd, re and/or bcc) to/from Talley Kovacs <talley.kovacs@maryland.gov> and the DNR Public Information Act Custodians Gene Deems and/or Anthony Burrows (and/or their agents) from May 29th 2020; and
>
> any and all phone records and/or call logs from the extension/office/ department cellular phone assigned/utilized by DNR Public Information Act Custodians Gene Deems and/or Anthony Burrows (and/or their agents) to Talley Kovacs (and/or her agents); and
>
> **Application 2);**
>
> The Public Record that reflects the instructions the Custodian (and/or its agents) of records received on or
> before Mon, Aug 22, 2022 at 1:54 PM ordering the Custodian (and/or its agents) that a)Director Bell
> and/or Tahsuda (and/or their agents) should "**Not at this time.**" conduct a good faith search for records responsive to the undersigned applicant's request for Public Records; and/or
>
> The Public Record that reflects the instructions the Custodian of records (and/or its agents) received on or before Mon, Aug 22, 2022 at 1:54 PM ordering the Custodian (and/or its agents) "**...to speak with the Attorney General's Office.**" prior to producing any/all public records and/or conducting a good faith search for public records responsive to the undersigned applicant's request for Public Records.
>
> Please see attached ***State of Maryland Mail - Re_ Public Information Act Request #070722.pdf*** incorporated herein by reference.
>
> Please provide a time and cost estimate in 10 days.
>
> Thank you in advance for all the hard work the DNR and its custodian does for the great state of Maryland[,]" (the "121922" request.)

35. On Wed, Dec 21, 2022 at 9:25 AM Anthony Burrows, PIA DNR -DNR- <pia.dnr@maryland.gov> sent an email subject "MPIA - Correspondance to Talley

Kovacs or others ” to **Justin Holder** <jholder2004@gmail.com> kindly acknowledging the 121922 request:

> “Thank you for contacting the Maryland Department of Natural Resources.
>
> The Maryland Department of Natural Resources has received your request under the Public Information Act, Md. Code Ann., Gen. Prov. (“GP”) §§ 4-101–4-601, seeking records.
>
> I write now to advise you that we will begin to process it. Your case number will be 121922. We will contact you to notify you within 10 days if there is a cost involved.”

36. MD. General Provisions Code Ann. § 4-203 (2021) “(a) (1) Except as provided in paragraph (2) of this subsection, the custodian shall grant or deny the application promptly, **but not more than 30 days after receiving the application.**”;

37. MD. General Provisions Code Ann. § 4-203 (2021) “(b) (1) A custodian who approves the application shall produce the public record immediately or within a reasonable period that is needed to retrieve the public record, **but not more than 30 days after receipt of the application.**”;

38. MD. General Provisions Code Ann. § 4-203 (2021) “(b) (2) If the **custodian reasonably believes that it will take more than 10 working days to produce the public record**, the custodian **shall indicate in writing or by electronic mail within 10 working days after receipt of the request:** (i) the amount of time that the custodian anticipates it will take to produce the public record; (ii) an estimate of the range of fees that may be charged to comply with the request for public records; and (iii) the reason for the delay.”

39. MD. General Provisions Code Ann. § 4-203 (2021) "(b) (3) **Failure to produce the public record in accordance with this subsection constitutes a denial of an application** that may not be considered the result of a bona fide dispute unless the custodian has complied with paragraph (2) of this subsection and is working with the applicant in good faith;" and

40. MD. General Provisions Code Ann. § 4-203 (2021) "(c)(1) A custodian who denies the application shall: (i) **within 10 working days**, give the applicant a written statement that gives: 1. the reasons for the denial; 2. if inspection is denied under § 4–343 of this title: A. a brief explanation of why the denial is necessary; and B. an explanation of why redacting information would not address the reasons for the denial; 3. the legal authority for the denial; 4. without disclosing the protected information, a brief description of the undisclosed record that will enable the applicant to assess the applicability of the legal authority for the denial; and 5. notice of the remedies under this title for review of the denial; and (ii) **allow inspection of any part of the record that is subject to inspection**. (2) A custodian may not ignore an application to inspect public records on the grounds that the application was intended for purposes of harassment."

41. As of January 19th 2023 Mr. Holder has not received a formal and complete response from Burrows or MDNR in relation to his renewed demand, after mediation with Ombudsman, to inspect and/or copy public records described in the 070120 or 070722 Maryland Public Information Request.

42. As of January 19th 2023 Mr. Holder has not received a formal and complete response from Burrows or MDNR in relation to his modification and/or additional request to inspect and/or copy public records described in the 052422 Maryland Public Information Request.

43. As of January 19th 2023 Mr. Holder has not received a formal and complete response from Burrows or MDNR in relation to his request to inspect and/or copy public records described in the 073022 Maryland Public Information Request.

44. As of January 19th 2023 Mr. Holder application to inspect and/or copy public records described in the 121122, 121922, 111422a, and 103122a Maryland Public Information Request has not been granted or denied by Burrows or MDNR.

45. As of January 19th 2023 Burrows or MDNR have not asserted that the public records described in the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422, 070722 or 073022 Maryland Public Information Request(s) were privileged, confidential, contrary to State/Federal statute, not allowed by the rules of the Court of Appeals or Order of a court of record.

46. As of January 19th 2023 Burrows or MDNR have not asserted that the public records described in the 121122, 121922, 111422a, 101722, 103122a, , 052422, 070722 or 073022 Maryland Public Information Request(s) required denial in accordance with MD. General Provisions Code Ann. §§ 4-304 - 41.

47. As of January 19th 2023 Burrows or MDNR have not asserted that inspection of a part of a public record(s) described in the 121122, 121922, 111422a, 101722, 103122a, 070120,

052422, 070722 or 073022 Maryland Public Information Request(s) by the applicant would be contrary to the public interest in accordance with MD. General Provisions Code Ann. §§ 4-343 - 56.

48. As of J January 19th 2023 Burrows or MDNR have not petitioned this court for an order to continue the denial of a public record(s) described in the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422, 070722 or 073022 Maryland Public Information Request(s) asserting disclosure of the public records the applicant requested inspection of would be contrary to the public interest in accordance with MD. General Provisions Code Ann. § 4 - 358.

49. *M*DNR and Burrows "willfully" did not grant the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422, 070722 or 073022 Maryland Public Information Request(s) within 30 days of receiving the applications; MDNR and Burrows "willfully" did not comply with MD. General Provisions Code Ann. § 4-203 (2021)(b)(2) in relation to the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422, 070722 or 073022 requests; MDNR and Burrows "knowing" the law are NOT working with the applicant in good faith in relation to the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422, 070722 or 073022 requests; and MDNR and Burrows "knowing" the law "willfully" failed to produce the public record in accordance with MD. General Provisions Code Ann. § 4-203 (2021) (b) (3) in 30 days which constitutes a denial of an application under clear Maryland Law in relation to the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422, 070722 or 073022 requests, (the "willfully or knowingly" denied request(s).)

50. Mr. Holder served the MDNR with a Civil Complaint for violation of the Maryland Public Information Act (the "suit") at OAG - Civil Service <civil_service@oag.state.md.us> on Thu, Sept 8, 2022 at 12:02 AM and Burrows with the suit by private process server, Joe Horton at his home on Sept 13th 2022.

51. Burrows and/or MDNR after being served the instant complaint produced some but not all of the records requested in the 070120, 052422, 070722 and 073022 Maryland Public Information Request, and there is a casual nexus between prosecution of the suit and release of the information requested in the 070120, 052422, 070722 and 073022 requests, (the "crystallized policy.")

52. (The MDNR's "crystalized policy") is "a practice of unjustified delay by means of an initial denial followed by the eventual release of the requested document, resulting in financial injury to [Applicant]" *Payne Enter., Inc. v. United States*, 837 F.2d 486, 490-91 (D.C.Cir.1988).

53. MDNR's crystalized policy is a hardship on Applicant because "[Mr. Holder is] indisputably [a] frequent [MPIA] requester[], whose daily conduct and decision-making [is] affected by the standards at issue" *Better Government Ass'n v. Department of State*, 780 F.2d 86 (D.C. Cir. 1986).

54. MDNR conceded in oral arguments during a December 8th 2022 hearing this Court should not delay in hearing this controversy, MPIA is to take precedence on the docket and offering Burrows up to immediately enter evidence on the record.

55. Mr. Holder has substantially prevailed and is eligible for an award of reasonable fees and cost as the *Kline v. Fuller*, 496 A.2d 325, 64 Md. App. 375 (1985) Court has provided:

> "Based on our analysis of the Md. Act and case law pertaining to the federal FOIA, we believe that certain principles have been established in determining whether the threshold of substantial prevailance has been met. Although an actual judgment in claimant's favor is not required, ***it must be demonstrated that prosecution of the lawsuit could reasonably be regarded as having been necessary in order to gain release of the information and that there was a causal nexus between the prosecution of the suit and the agency's surrender of the requested information.*** Furthermore, it is not necessary for a litigant to recover all the documents at issue, but rather key documents. Once the court determines that the complainant has substantially prevailed, that litigant becomes "eligible" but not "entitled" to an award of reasonable attorney fees and costs." (Emphasis Added)

56. As of January 19th, 2023 Burrows or MDNR have not indicated in writing or by electronic mail within 10 working days after receipt of the 121122, 121922, 111422a, 101722, 103122a, 070120, 052422 and 073022 request(s) the amount of time that the custodian anticipates it will take to produce the public record; an estimate of the range of fees that may be charged to comply with the request for public records; and/or the reason for the delay in accordance with MD. General Provisions Code Ann. § 4-203(b)(2).

57. On March 14th, 2015 Dept. of Natural Resources - Park Ranger Mary Ironside wrote a letter to Ms. Holly Nicodemus alleging "On March 11th, 2015, South Mountain Recreation Area Management staff inspected the State owned We[a]verton-Roxbury Rail Corridor which is adjacent to your property at 4407 Trego Rd Keedysville, MD 21756." And demanding "This letter serves as a formal notice that illegal private use of the public lands adjacent to this property must cease." (The "March 14th, 2015 record")

58. On May 15th, 2015 Carl W. Disque agent for Holly Nicodemus wrote a letter to Ranger Mary Ironsides of MDNR stating "Until the State provides conclusive title proof that it

owns fee simple record title to the property in question (and which property my client in turn claims to own in fee simple as previously discussed above), my client will not acquiesce in the requested removal of her fence." (The "May 15th, 2020 record")

59. As of January 19th 2023 Justin Holder has not been provided: 1)the March 14th, 2015 record; 2)the May 15th, 2015 record; or 3) any "agreements with [Holly Nicodemus as an] abutting land owner...in which the dnr or state has agreed to usage, maintenance, driving on state land...[or] any agreement with Mary ironside for property owners to mow, drive on or plant crops on state property in General... [including] the property owners on mt briar and tree[g]s road...in which they use the corridor as a driveway, parking lot, **put fence through it**, and place buildings and sheds on it." by the Maryland Department of Natural Resources custodian of records or agent thereof in response to a Maryland Public Information Act Request request by Justin Holder.

60. On August 12th, 2005 D. Bruce Poole agent for Austin Flook wrote a letter to Ms. Jean Lippard of the Maryland Department of Natural Resources "respectfully" requesting "that any final decision from either the Maryland Department of Natural Resources or the Board of Public Works be postponed for at least two weeks from the date of this letter in order for us to review the matter." And "Mr. Flook is concerned over the extent of the right-of-way, any possible future improvements to the right-ofoway and any visual impact the use of such right-of-way would have on his farm. As the Maryland Film Office can attest." (The "August 12th 2005 record")

61. As of January 19th 2023 Justin Holder has not been provided: the August 12th, 2005 record by the Maryland Department of Natural Resources custodian of records or agent

thereof in response to a Maryland Public Information Act Request request by Justin Holder.

62. On September 16th, 2021 Mr. Holder conducted a deposition of Jeffrey Young with Talley Kovacs, Esq., as agent for MDNR present in the aforementioned deposition, where Mr. Holder asked Mr. Young: "...Have you ever used the abandoned railroad property?"; "Did you ever drive a vehicle on it?"; "And when you purchased your property, were you ever made aware that the Department of Natural Resources claimed some right, title, or interest in the abandoned railroad?; "Okay. And at the conclusion of that meeting, did you expect a walking trail on the property east of your house?"; "And it was a public meeting, advertised?" (The "Public Meeting record")

63. As of January 19th 2023, Justin Holder has not been provided: the Public Meeting record by the Maryland Department of Natural Resources custodian of records or agent thereof in response to a Maryland Public Information Act Request by Justin Holder.

64. On October 18th, 2022 MDNR filed a paper titled "RESPONSE IN OPPOSITION TO [Plaintiff's] REQUEST FOR ORDER OF DEFAULT [Defendant Burrows]" and On November 7th, 2022 MDNR filed a paper titled "DEFENDANT'S RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION TO ALTER OR AMEND JUDGMENT OF OCTOBER 21, 2022" (the "vexatious papers") which did not cite any grounds or authorities[2] for the MDNR's requested relief or opposition to Plaintiff's requested relief.

---

[2] "**(c) Statement of Grounds and Authorities; Exhibits.** [and] A written motion and a response to a motion shall state with particularity the grounds and the authorities in support of each ground." *Rule 2-311 - Motions, Md. R. Civ. P. Cir. Ct. 2-311.*

65. The vexatious papers did not contain a good faith argument for the Court to extend, modify or reverse existing law[3] that: ("A proper return of service is prima facie evidence of valid service of process[.]") See *Weinreich v. Walker*, 236 Md. 290, 296 (1964). Although that presumption may be rebutted, "the mere denial of personal service by him who was summoned will not avail to defeat the sworn return of the official process server." *Id*; aforementioned presumption must be rebutted with **"evidence by independent, disinterested witnesses"** *Wilson*, 217 Md. App. at 285 (quoting *Ashe v. Spears*, 263 Md. 622, 628 (1971).

66. On October 11th 2022 MDNR filed a Motion to Dismiss alleging "Complaint fails to state a claim upon which relief can be granted and the issues raised in the complaint are moot:" which was denied on December 8th 2022 after Oral arguments, ("MTD1.")

67. On December 19th 2022 MDNR filed a second Motion to Dismiss again alleging "Complaint fails to state a claim upon which relief can be granted," ("MTD2.")

68. MDNR presents identical legal grounds and authorities at p. 2-3 of MTD2, which were rejected by the Trial Court on December 8th 2022, see p. 7-8 of its Memorandum in Law incorporated in MTD1, (the "abusive dispositive motions.")

69. The MDNR filed its vexatious papers and abusive dispositive motions "vexatiously, for the purpose of harassment or unreasonable delay, or for other improper reasons." *See Roadway Exp., Inc. v. Piper*, 447 U.S. 752, 766, 100 S.Ct. 2455, 2464, 65 L.Ed.2d 488, 501

---

[3] "An attorney shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation." *Rule 19-301.1 - Competence (1.1)*, Md. R. Att'y 19-301.1 and "An attorney shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis for doing so that is not frivolous, which includes, for example, a good faith argument for an extension, modification or reversal of existing law. An attorney may nevertheless so defend the proceeding as to require that every element of the moving party's case be established." *Rule 19-303.1 - Meritorious Claims and Contentions (3.1)*, Md. R. Att'y 19-303.1

(1980); *Johnson v. Baker*, 84 Md. App. 521, 581 A.2d 48, cert. denied, 322 Md. 131, 586 A.2d 13 (1990) (the "bad faith")

70. In a Fri, Aug 19, 2022 at 8:27 AM email Burrows <pia.dnr@maryland.gov> wrote to Sgt. Angela Shirley [NRP Records & Communications Center] —DNR- <angela.shirley@maryland.gov> (Sgt. "Shirley") subject :

> "Hey Folks,
>
> See below, the request (b) [b) "the complaint, cease and desist demand letters or fines residents abutting the weaverton Roxbury rail and trail have been sent in the last 5 years";]. We're trying to address an old request from Justin Holder.
>
> We've responded to a number of his requests but these are some holdovers. Do we have any responsive documents related to item (b)?
>
> Thank you, Anthony" (the "request b to NRP").

71. After a 9 minute or less search for records responsive to request b to NRP, in a Fri, Aug 19, 2022 at 8:36 AM email Shirley wrote back to Burrows <pia.dnr@maryland.gov> and copied Amanda M Mock [DEPARTMENT OF NATURAL RESOURCES SPECIAL FUNDS WORK GROUP/Dept. of Legislative Services] -DNR <amanda.mock@maryland.gov> (Legislative staff "Mock") subject "Re: Public Information Request" stating that "NRP does not have any responsive documents for that question. [(b)]" (the "9 minute search").

72. In a Fri, Aug 19, 2022 at 9:06 AM email Hilary Bell -[Acting Director of Land Acquisition and Planning] DNR- <hilary.bell1@maryland.gov> (Director "Bell") wrote to Burrows pia.dnr@maryland.gov>:

> "I would recommend the whole request also be sent to Parks in case they have responsive documents that LAP does not have. I'm also cc-ing [Assistant Attorney General] Talley [Kovacs].
> I believe that LAP responded with any responsive docs we had to the previous PIA request and provided what we had to the PIA office. If we need to re-review since those staff are no longer with the Department, please let me know."(the "offer to search for responsive records" and/or "offer to search in Parks").

73. 3 hours and 27 minutes after being copied in request b to NRP, in a Fri, Aug 19, 2022 at 12:03 PM email Legislative Staff Mock wrote to Burrows <pia.dnr@maryland.gov> warning/advising that: "Since this is associated with litigation, and a lot of document production has been done already, I suggest that you touch base with OAG Talley Kovacs on this." (the "warning from Legislative staff").

74. In a Mon, Aug 22, 2022 at 8:38 AM email Director Bell <hilary.bell1@maryland.gov> wrote to Burrows <pia.dnr@maryland.gov> and copied Jacqueline R.S. Tahsuda [Associate Director Real Property Acquisition and Management *eg* Parks] -DNR <jacqueline.tahsuda@maryland.gov> (Associate Director of Parks "Tahsuda"): "Just checking in on this - does LAP need to re-review all files?"

75. In a Mon, Aug 22, 2022 at 1:54 PM email Burrows <pia.dnr@maryland.gov> responded to Director Bell <hilary.bell1@maryland.gov> copying Associate Director of Parks Tahsuda subject "Re: Public Information Act Request #070722"[4] declining Director Bell's offer to

---

[4] In MTD2 MDNR avers: "To the extent that Plaintiff highlights an 070122 request, no such request has been received by DNR." Plaintiff received an email from Burrows on Jul 1, 2022, 9:53 AM stating "I've reached out to folks about getting some information for you" (the "070122 request.") MDNR highlights an "070722 request" in subject lines of Burrows Mon, Aug 22, 2022 at 1:54 PM email, Plaintiff made no such request. In order to avoid a vexatious dispute over the designation, Plaintiff will accept the MDNR designation of 070722, amending accordingly.

search for responsive records and/or offer to search in Parks; after receiving the warning from Legislative staff Mock and/or the 9 minute search results from Sgt. Shirley: “Not at this time. I am going to speak with the Attorney General's Office.” (the “deferral to the Attorney General”).

76. In a Mon, Sep 12, 2022 at 10:52 AM email Burrows <pia.dnr@maryland.gov> wrote to Mr. Holder <jholder2004@gmail.com> subject “Public Information Request #070722” stating that:

> I am responding to your public information act request #070722 which asks for…[records:
>
> (a)(c) that Director Bell made offer to search for responsive records and/or an offer to search in Parks to locate and Burrows allegedly refused; and
>
> request b to NRP that after a 9 minute search by Sgt. Shirly and/or warning from Legislative staff Mock, Burrows made the deferral to the Attorney General]…[and despite the alleged refusal by Burrows, the custodian asserts:}
>
> the department has made good faith attempts to determine whether it has any records that would be responsive to the requests….
>
> Department staff first had to review the documentation from the previous cases to determine what was provided to you already before attempting to locate additional documents that potentially existed and were not included in the initial response. [Despite Director Bell’s offer to search for responsive records and/or an offer to search in Park Burrows allegedly refused.]
>
> For parts (a) and (c) of your request, the Department has not identified any additional responsive documents beyond the documents provided to you by my predecessor Mr. Gene Deems….[and allegedly did not even search for.]
>
> The Department can respond to part (b) of your current request, and confirm [after a 9 minute search and deferral to the Attorney General that] the Department has no responsive records.” (the email to “ intentionally, willfully and unlawfully deny the applicant” Public Records and Documents.)

72. The MDNR has not and/or can not produce an affidavit from Director Hill and/or Associate Director of Parks Tahsuda that a review and/or search of the documents from previous cases was conducted and/or the offer Director Bell made to search for responsive records and/or the offer to search in Parks was ever conducted upon request by Burrows and/or the MDNR for records responsive to (a)(c) and/or the 070120/070722 request.

73. The MDNR has not and/or can not produce an affidavit from Sgt. Shirley stating AFTER SEARCHING ANY/ALL records from 1991 until present she did not identify any *Brady* evidence and/or responsive records the MDNR decided to exempt from disclosure after the 9 minute search and/or a good faith attempt to locate records responsive to request b to NRP was completed and/or there are no responsive records that were lawfully withheld from applicant Mr. Holder related to his 070120 and 070722 request.

74. Burrows and the MDNR have acted in bad faith to intentionally, willfully and knowingly, unlawfully deny the applicant, Mr. Holder (as a person in interest) access to inspect and/or copy public records that are of extreme public interest for the vexatious and/or unlawful purpose of shielding the MDNR and/or other Maryland citizens from civil and/or criminal liability in litigation identified by Legislative staff Mock when Burrows made the deferral to the Attorney General after the warning from Legislative staff Mock, (the "actual malice.")

75. The MDNR and/or Burrows has improperly and/or unethically involved the Attorney General in the applicant Justin Holder's Maryland Public Information request to further hide, exempt or improperly assert priveledge as to the public records and/or *Brady* evidence Burrows and/or the MDNR and/or the Attorney General were lawfully and/or ethically required to disclose in the Prosecution of the applicant Mr. Holder to evade civil liability and/or accountability for same, (the "implied malice.")

76. MDNR's actual and/or implied malice taken in light of it crystalized policy illustrates "the urgency of establishing a rule of future conduct in matters of important public concern is imperative and manifest…if the public interest clearly will be hurt if the question is not immediately decided, if the matter involved is likely to recur frequently, and its recurrence will involve a relationship between government and its citizens, or a duty of government…" *Lloyd v. Supervisors of Elections*, 111 A.2d 379, 206 Md. 36 (1954).

VIOLATION OF THE MARYLAND PUBLIC INFORMATION ACT ("MD PIA")

77. Mr. Holder incorporates by reference the allegations set forth in the preceding paragraphs of this Complaint as if fully stated herein.
78. Mr. Holder brings this action to enjoin Defendant MDNR from unlawfully continuing to withhold public records and in order to better inform a vigorous public debate (a debate which has been shrouded in secrecy), and to vindicate the Maryland Public Information Act's guarantee of open, honest and transparent governance. All persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees. See GP § 4-103(a). To carry out these

rights, the Maryland General Provisions shall be construed in favor of allowing inspection of a public record, with the least cost and least delay to the person that requests the inspection. See GP § 4-103(b).

79. Defendant MDNR is a State Governmental Unit and Defendant Burrows is a custodian, and as such, are governed by the public disclosure requirements of the Maryland Public Information Act. Except as otherwise provided by law, a custodian shall allow a person or governmental unit to inspect any public record at any reasonable time. GP § 4-201(a).
80. Defendants' denial of Mr. Holder's request to inspect records did not indicate that the denial was made only after careful consideration to the public interest involved.
81. Defendants' denial of Mr. Holder's request to inspect records did not carefully balance the possible consequences of disclosure against the public interest in favor of disclosure.
82. Defendants did not assert the public record is priveledge or confidential in accordance with MD. General Provisions Code Ann. § 4-301(a)(1).
83. Defendants' denial of Mr. Holder's request to inspect records neither provides Mr. Holder with a brief explanation of why the denial is necessary nor an explanation of why redacting information would not address the reasons for the denial.
84. Defendants did not assert inspection of the public record would be contrary to a State or Federal Statute in accordance with MD. General Provisions Code Ann. § 4-301(a)(2).
85. Defendants did not assert inspection of the public record would be contrary to the rules adopted by the Court of Appeals or an order of a court of record in accordance with MD. General Provisions Code Ann. § 4-301(a)(2).

86. Defendants violated Mr. Holder's right "to have access to information about the affairs of government and the official acts of public officials and employees." GP § 4-103(a).
87. Defendants violated the Maryland Public Information Act by refusing to permit Mr. Holder "to inspect any public record at any reasonable time." GP § 4-201(a).
88. There is no statutory exemption under the Maryland Public Information Act, or other law, that allows the Defendants to deny Mr. Holder's requests for inspection of public records or to deny Mr. Holder a copy, printout, or photograph of a public record.
89. Pursuant to GP §4-362(b), Defendants have "the burden of sustaining a decision to deny inspection of a public record" or to "deny [Mr. Holder] a copy, printout, or photograph of a public record." Defendants cannot sustain its/his burden because its/his decision to deny Mr. Holder's right to inspect the requested documentary materials is unlawful.
90. Defendants knowingly and willfully failed to disclose or fully to disclose a public record that Mr. Holder was entitled to inspect under the Maryland Public Information Act.
91. After temporarily denying Mr. Holder inspection of a public record, Defendant Burrows failed to petition this court for an order to continue the denial.
92. Defendants knowingly and willfully failed to provide a copy, printout, or photograph of a public record that Mr. Holder requested under § 4-205 of the Maryland Public Information Act.

WHEREFORE, Mr. Holder respectfully requests that this Court:

A. Assume jurisdiction over this matter pursuant to GP § 4-362;

B. Give this matter "precedence on the docket", a hearing "at the earliest practicable date" and expedite this matter "in Every way" pursuant to GP § 4-362(c)(1)(i)-(iii);

C. Enjoin Defendants MDNR and Burrows from: (l) withholding the public records requested by Mr. Holder; or (2) withholding a copy, printout, or photograph of the public records requested by Mr. Holder;

D. Issue an order for the production of the public record(s) or a copy, printout, or photograph of the public record that was withheld from Mr. Holder;

E. Order Defendants to waive all fees associated with disclosing and providing the requested records to Mr. Holder;

F. Order Defendants to fully comply with the Maryland Public Information Act in regards to future requests from Plaintiff Justin Kyle Holder;

G. Award Mr. Holder statutory damages not to exceed $1,000.00;

H. Award Mr. Holder actual damages that this court considers appropriate since Defendant(s) knowingly and willfully failed to disclose or fully to disclose a public record that Mr. Holder was entitled to inspect under the Maryland Public Information Act;

I. Award Mr. Holder actual damages that this court considers appropriate since Defendant(s) knowingly and willfully failed to provide a copy, printout, or photograph of a public record that Mr. Holder requested under § 4-205 of the Maryland Public Information Act;

J. Award Mr. Holder actual damages against Defendant Burrows that the court considers appropriate for temporarily denying Mr. Holder inspection of a public record without petitioning this court for an order to continue the denial;

K. Find that Defendant Burrows acted arbitrarily or capriciously in withholding the public record or the copy, printout, or photograph of the public record, and send a certified copy of its finding to the appointing authority of the custodian;

L. Order that Mr. Holder has "substantially prevailed" in this action, award Mr. Holder litigation costs and reasonable fees reasonably incurred in this action, as provided by GP § 4-362(g), and allow Mr. Holder thirty (30) days to submit fees and costs application to this Court; and/or

M. Grant any other relief this Court deems just and appropriate.

Respectfully submitted,

Justin K Holder

Justin K. Holder, *Pro Se*
308 West Chapline Street
Sharpsburg, Maryland 21782
(240) 356-2008

CERTIFICATE REGARDING RESTRICTED INFORMATION

I HEREBY CERTIFY that this document does not contain any restricted information.

Justin K. Holder, *Pro Se*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of January, 2023, the foregoing Third Amended Complaint and Comparison Copy of Third Amended Complaint was served via MDEC and thus served electronically upon all counsel/parties of record, severed via US Mail to all other counsel/parties requiring service not served by MDEC;

MDEC:

Roger L. Wolfe, Jr., Esq.,
Attorney for Defendant State of Maryland, Department of Natural Services
Attorney for Defendant Anthony Burrows
6011 Skipjack Ln, Tilghman, MD 21671

Justin K. Holder, *Pro Se*

IN THE CIRCUIT COURT OF MARYLAND FOR ANNE ARUNDEL COUNTY

JUSTIN K. HOLDER, *

***Plaintiff*,** *

v. * **Civil Case No.: C-02-CV-22-001474**

THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES and ANTHONY BURROWS, *

***Defendants*.** *

*

* * * * * * * *

ANSWER

The Defendants State of Maryland, Department of Natural Resources ("DNR"), and Anthony Burrows ("Mr. Burrows"), by their attorneys, Anthony G. Brown, Attorney General of Maryland, and Roger L. Wolfe, Jr. Assistant Attorney General, file this Answer to the Third Amended Complaint, deny all liability, and in response to the specific allegations, state the following:

1. The defendants are without knowledge sufficient to form a belief as to the truth of the averments in paragraph 1.

2. The averments in paragraph 2 assert a legal conclusion to which no response is required.

3. The defendants admit the averments in paragraph 3.

4. The defendants admit the averments in paragraph 4 that Anthony Burrows ("Burrows") was the Maryland Public Information Act Coordinator for the Maryland Department of Natural Resources ("MDNR") and is listed as the contact since May 2022. However, the remaining allegations of paragraph 4 assert a legal conclusion to which no response is required.

5. The averments in paragraph 5 assert a legal conclusion to which no response is required.

6. The averments in paragraph 6 assert a legal conclusion to which no response is required.

7. The averments in paragraph 7 assert a legal conclusion to which no response is required.

8. The defendants admit that communications occurred between the plaintiff and Burrows with respect to the averments in paragraphs 8 thru 35. However, to the extent that the averments in paragraphs 8 thru 35 contain plaintiff's legal and factual conclusions, basis, editorials, etc…, regarding the reasons and/or rationale for the plaintiff's communications and/or filing suit, those averments assert legal conclusions to which no response is required and/or the defendants are without knowledge sufficient to form a belief as to the truth of the averments asserted in those paragraphs. Further, to the extent that paragraphs 8 thru 35 allege wrongdoing on the part of the defendants, those averments are denied.

9. The averments in paragraphs 36 thru 40 assert legal conclusions to which no response is required.

10. The defendants deny the averments in paragraphs 41 thru 44.

11. The averments in paragraphs 45 thru 50 assert legal conclusions to which no response is required.

12. The defendants deny the averments in paragraphs 51 thru 55. Further, those averments in paragraphs 51 thru 55 assert legal conclusions to which no response is required.

13. The defendants admit that some of plaintiff's requests identified in paragraph 56 may not have been responded to within 10 working days, but Mr. Holder was apprised of the progress of the responses and was not charged for any documents. The remaining averments in paragraphs 56 assert legal conclusions to which no response is required.

14. The defendants are without knowledge sufficient to form a belief as to the truth of the averments in paragraph 57 thru 63.

15. The averments in paragraphs 64 thru 69 assert legal conclusions to which no response is required.

16. The defendants admit that communications occurred between the plaintiff and Burrows with respect to the averments in paragraphs 70 thru 92. However, to the extent that the averments in paragraphs 70 thru 92 contain plaintiff's legal and factual conclusions, basis, editorials, etc…, regarding the reasons and/or rationale for the plaintiff's communications and/or filing suit, those averments assert legal conclusions to which no response is required and/or the defendants are without knowledge sufficient to form a belief as to the truth of the averments asserted in those paragraphs. Further, to the extent that

paragraphs 70 thru 92 allege wrongdoing on the part of the defendants, those averments are denied.

WHEREFORE, the Defendants State of Maryland, Department of Natural Resources and Anthony Burrows respectfully request that this Honorable Court deny all relief to the Plaintiff and that judgment be granted in favor of the Defendants.

Respectfully submitted,

______/S/________________________
Roger L. Wolfe, Jr.
Assistant Attorney General
Maryland AIS No.: 9912160291
Tawes State Office Bldg.
580 Taylor Avenue, C-4
Annapolis, MD 21401
(410) 260-8379 (o)
(410) 260-8364 (f)
roger.wolfejr@maryland.gov

Attorneys for Defendant State of Maryland, Department of Natural Resources and Anthony Burrows

CERTIFICATE OF COMPLIANCE WITH MARYLAND RULE 20-201

I HEREBY CERTIFY, that in accordance with Maryland Rule 20-201, this submission does not contain any restricted information.

______**/S/**________________________
Roger L. Wolfe, Jr.
Assistant Attorney General

Attorneys for Defendant State of Maryland, Department of Natural Resources and Anthony Burrows

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of April 2023, a copy of the foregoing Answer was served by electronic means via the MDEC system on the attorneys and/or parties entitled to receive such notice, which is the following Plaintiff Pro Se:

Justin K. Holder, Pro Se
308 West Chapline Street
Sharpsburg, Maryland 21782
jholdermdec@gmail.com
Plaintiff Pro Se

______**/S/**_________________________
Roger L. Wolfe, Jr.
Assistant Attorney General

Attorneys for Defendant State of Maryland, Department of Natural Resources and Anthony Burrows

E-FILED; Anne Arundel Circuit Court
Docket: 10/21/2022 9:26 AM; Submission: 10/21/2022 9:26 AM

IN THE CIRCUIT COURT OF MARYLAND FOR ANNE ARUNDEL COUNTY

JUSTIN K. HOLDER,	*	
Plaintiff,	*	
v.	*	**Civil Case No.: C-02-CV-22-001474**
THE STATE OF MARYLAND, DEPARTMENT OF NATURAL RESOURCES,	*	
	*	
Defendant.	*	
	*	

* * * * * * * *

ORDER

Upon consideration of the motion for protective order, filed by the Defendant State of Maryland, Department of Natural Resources, and any opposition thereto, it is this ________ day of 10/21/2022 8:23:33 AM ___________________2022, by the Circuit Court for Anne Arundel County,

ORDERED that the motion for protective order is **GRANTED**; and it is further

ORDERED that the Plaintiff Justin K. Holder will not have any discovery in this case; and it is further,

ORDERED that the Defendant State of Maryland, Department of Natural Resources does not have to respond to any discovery served on it by the Plaintiff Justin K. Holder.

IT IS SO ORDERED.

Judge Stacy W. McCormack

10/21/2022 CK

JUDGE
Circuit Court of Maryland for Anne Arundel County

E-FILED: Anne Arundel Circuit Court
Docket: 12/12/2022 3:03 PM; Submission: 12/12/2022 3:03 PM

Civil Hearing Sheet
IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY

In the Matter of Justin Holder
Plaintiff / Petitioner
(Pro Se)

VS

Defendant / Respondent
( )

Case No. C-02-CV-22-1474

Date: December 8, 2022

Clerk: M.Galloway
3C

12/12/2022 HM

Case called for Hearing on Motion

In Open Court before Judge Elizabeth S. Morris

Plaintiff pro se present and heard. Roger Wolfe, Attorney General on behalf of the Defendant Anthony Burrows, Maryland Department of Natural Resources present and heard. Defendant's motion to dismiss is DENIED. Defendant's motion for Summary Judgment is DENIED.

Hearing sheet signed as Order of Court

Judge